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# **RAJASTHAN RULES COMPENDIUM**

( IN 16 VOLUMES )  
( 1949 TO 1967 )

*By*  
**VYAS & BAFNA**



## **BAFNA BOOK DEPOT**

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## RAJASTHAN RULES COMPENDIUM

( 1949 to 1967 )

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*Rules and Notifications under*

PARTNERSHIP ACT, 1932  
( CENTRAL ACT No. 9 OF 1932. )

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# THE RAJASTHAN PARTNERSHIP RULES, 1953.

Commerce and Industries Deptt.

## NOTIFICATION.

Jaipur, August 28, 1952.

No. F. 24 (24) C. I (B)/50.—In exercise of the Powers conferred by sub-section (2) of section 71 of the Indian Partnership Act, 1932, the Government of Rajasthan is pleased to make the following Rules, the same having been previously published.

By Order of  
His Highness the Rajpramukh,  
CHANDRAPAL SINGH,  
Secretary to the Government.

...les

Sub-section (2) of section 71 of the Indian Partnership Act, 1932 authorises the State Government to make rules for namely—

- (a) prescribing the form of statement submitted under section 58, and of the verification thereof;
- (b) requiring statements, intimations and notices under sections 60, 61, 62, and 63, to be in prescribed form, and prescribing the form thereof;
- (c) prescribing the form of the Register of Firms and the mode in which entries relating to forms are to be made therein, and the mode in which entries are to be amended or notes made therein;
- (d) regulating the procedure of the Registrar when disputes arise;
- (e) regulating the filing of documents received by the Registrar;
- (f) prescribing conditions for the inspection of original documents;
- (g) regulating the grant of copies;
- (h) regulating the elimination of registers and documents;
- (i) providing for the maintenance and form of an index to the Register of Firm; and
- (j) generally to carry out the purposes of this Chapter.

These rules have been framed with a view to provide for aforesaid matters.

1. *Short title.*—(a) These Rules may be called the Rajasthan partnership Rules, 1952.

(b) They shall come into force from the date of their publication in the Rajasthan Gazette.

2. In these rules, unless there is any thing repugnant to the subject or context

(a) "The Act" means the Indian partnership Act, 1932,

(b) "Firm" means a body of persons consisting of two or more partners, to which the act applies.

(c) "Section" means a section of the act.

(d) "Document" includes statements, intimation and notices prescribed by the act, and

(e) "Registrars means a registrar of firms appointed under section 57 of the Act.

3. *Forms of statement.*—The statement required to be sent or delivered to the Registrar under section 58 shall be in form appended to these rules and be verified in the manner prescribed for verification of plaints in civil suits.

*Notes.*

Sub-section (1) of section 58 of the Act requires that the registration of a firm may be effected at any time by sending by post or delivering to the Registrar a statement in the prescribed form. This rule prescribes the required statement.

4 *Forms of intimations and notices.*—Statements, intimations and notices required under sections 60, 61, 62 and 63 shall respectively be in Forms B, C, D, E and F appended to these rules.

*Notes.*

Section 60 provides for the sending of a statement containing the particulars of alteration in firm's name and place of business. Section 61, 62 and 63 require intimations in the prescribed manner regarding closing and opening of branches, changes in names and addresses of partners and changes in and dissolution of firm.

5. *Mode of lodging Documents.*— Documents either on payment of the prescribed fee be lodged with the Registrar in person or sent to him by post under registered cover along with the prescribed fee. No fact shall be recorded in the register on a mere oral notice.

6 *Examination of Documents Received by the registrar.*— If any document required to be delivered to the registrar for registration is found to be incomplete or defective in any of the particulars required by law, the Registrar shall return it for rectification and he shall not register or file it until all the requirements of the law have been complied with when the Registrar is satisfied that the provisions prescribed in respect thereof have been duly complied with, he shall record an entry of the document in the register and shall then file the same.

7. *Filing of documents.*—A separate file shall be maintained in respect of each firm in which the documents received by the registrar relating to the said firm shall from time to time be filed. No document shall be filed by the registrar unless the proper fee prescribed therefor has been paid.

8. *Acknowledgment and registration of documents.*—(a) On every document filed under this act the registrar shall endorse the following particulars, namely:—

- (i) The number borne by the firm on the register,
- (ii) The name of the firm,
- (iii) The descriptions of the documents.
- (iv) The serial number of the documents, and
- (v) The date of filing.

(b) On filing any documents along with the payment of the fee prescribed therefore the registrar shall furnish the firm concerned with a certificate in the following form under his signature and seal

of his office. In the office of [the Registrar of Firms Rajasthan Jaipur.

In the matter of....

I hereby certify that the undermentioned documents have this day been duly filed and registered pursuant to the provisions of the Indian Partnership Act, 1952.

Given under my hand and seal this.....day of.....  
1952.....fee Rs.....

seal

Registrar.]

9. *Form of Register.*—The Registrar shall maintain a book entitled the “Register of Firm” (in these rules referred to as the “Register”) in which the following particulars shall be entered, a separate page being assigned to each firm:—

- |   |  |
|---|--|
| (a) The firm's name.                                      | } Each entry to be made in a separate line at the top of the Register. |
| (b) The place or principal place of business of the firm. |  |
| (c) Date of Registration.                                 | } To form the heading of columns.                                      |
| (d) Act under which registered.                           |  |
| (e) Serial No. of documents filed.                        |  |
| (f) Description of document.                              | } To form the heading of columns.                                      |
| (g) By whom filed when and to whom certificate granted.   |  |

Notice of facts to be recorded shall be printed or typed-written.

#### Notes.

Section 59 provides that, “When the Registrar is satisfied that the provisions of section 58 have been duly complied with, he shall record an entry of the statement in a register called the Register of Firms, and shall file the statement.

10. *Index to the Register.*—The Registrar shall maintain an alphabetical index to the register showing the number, name and address of each firm.

11. *Amendment of Register.*—When an entry made in the Register is to be amended, the amendment shall be made drawing a red line through the entry and making a new entry at the end of the existing entries. A reference in red ink to the serial number of the new entry shall be made against the amended entry.

#### Notes.

Section 65 of the Act provides that, “A Court deciding any matter relating to a registered firm may direct that the Registrar shall make any amendment in the entry in the Register of Firms relating to such firm which is consequential upon its decision; and the Registrar shall amend the entry accordingly.

12. *Procedure on dispute.*—If any person wishes to dispute any entry in the register such person shall give the Registrar notice in writing that he disputes the said entry and the Registrar shall make a remark to the effect at the end of the then existing entries and shall also make a remark in red ink in the remarks column against entry so disputed.

13. *Enquiries and Investigations by the Registrar.*—The Registrar may in his discretion institute such enquires to make such investigation in respect of any matter as may in his opinion be necessary for the proper performance of his duties and the administration of the Act. In particular when a dispute arises amongst the several partners of a firm the Registrar may in his discretion call upon any of the partners or all of them to produce any original deed, documents or such other evidence as he thinks fit in order to ascertain the rights of the respective parties.

14. *Conditions of Inspections.*—The register shall be open to inspection on written application. The file of the documents kept in the Registrar's office shall similarly be open to inspection by any person applying therefor; provided the applicant satisfies the Registrar that he has sufficient interest in the contents of the document of which he applies for inspection and that a mere inspection of the will not serve his register purpose.

All inspections under this rule shall take place during business hours in the presence of the Registrar or some person appointed by him in that behalf.

*Notes.*

Section 66 and 67 of the Act (reproduced below) deal with inspection and grant of copies respectively.

66. (1) The Register of Firms shall be open to inspection by any person on payment of such fee as may be prescribed.

(2) All statements, notices and intimations filed under this Chapter shall be open to inspection, subject to such conditions and on payment of such fee as may be prescribed.

67. The Registrar shall on application furnish to any person, on payment of such fee as may be prescribed, a copy, certified under his hand, of any entry or portion thereof in the Register of Firms.

"15. *Grant of copies.*—(a) As provided by section 66 of the Act, the Registrar shall, on application, furnish to any person on payment of the prescribed fee a copy of any entry of portion thereof in the Register of firm.

(b) Copies of the documents kept in the Registrar's office shall on application and payment of the prescribed fee, be furnished by the Registrar to any person who satisfies the Registrar that he has sufficient interest in the contents of the documents of which he applies for copies and that mere copies of an entry in the Register will not serve his purpose.

(c) All copies under this rule shall be applied for during business hours and in writing. The copies issued shall be certified by the Registrar to be true and sealed with the seal of his office.

(d) In this rule "Copies" includes extracts.

(e) The fee for issuing a copy of any document in the custody of the Registrar shall be annas four for each hundred words or part thereof. Other fees shall be such as may be prescribed separately by the Government in rules issued under sub-section (1) of section 71 of the Act."



*Notes.*

Present rule 15 stands substituted vide amending Notification No. F. 19 (I) C and 9/54, dated 25/7/55, published in Rajasthan Rajpatra, part IV (c) dated 6/8/55. Old rule is reproduced below:—

A copy or extract of any entry in the register shall be supplied to any person on written application. Such copy or extract, as the case may be shall be certified by the Registrar to be true and sealed with the seal of his office.

16. *Fees Book*.—The Registrar shall keep a book called the “Fees Book” in which shall be entered day by day all fees realised under the Act and the rules thereunder. All fees so realised shall be paid into Government Treasury.

17. *Elimination of documents and registers*.—(1) On the dissolution of a firm, an entry to that effect shall be made opposite the firm's name in the register by writing the word, “dissolved” in red and noting the date of its dissolution; and at the expiration of five years from the date of the entry of dissolution in the register, the file and papers relating to such firm may be destroyed; provided that its certificate of registration and the dissolution orders shall be retained permanently:—

(2) The following registers shall be retained permanently:—

- (a) Register of firms,
- (b) Alphabetical index prepared Rule 12,
- (c) File register.

Other registers may be destroyed after five years.

## FORM A.

*Application for Registration of Firm.*

(See Section 58)

We, the undersigned, being partners hereby apply for registration as a firm and for that purpose supply the following particulars pursuant to section 58 of the Indian partnership act, 1932:—

- (a) firms name .....
- (b) Place or principal place  
of business of the firm....
- (c) Names of any other places  
where the firm carries  
on business .....
- (d) Date on which each partner  
Joined the firm.....
- (e) Names in full and permanent  
addresses of the partners .....

(f) Duration of the firm.....  
Dated this..... day of ..... 195.....  
Witnesses to the signature of.....  
.....  
.....  
.....

N. B.—This form must be signed by all partners or their agents specially authorised in this behalf in the presence of witnesses or a witness who must be a Gazetted Officer a Magistrate, Notary Public or an Advance of the High Court.

Fee Re. 1.  
FORM B.

*Statement specifying alterations in the firms name or in the location of the principal place of business of the firm.*  
(See Section 60)

We, the undersigned, being the partners of the firm of.....  
.....whose registered address is at.....  
.....hereby notify, pursuant to section 60 (1) of the Indian Partnership Act, 1932,that the changes specified below have occurred in this firm:—

- (a) Change in the firm's name.  
New Name
  - (b) Change in the location of the principal place of business of the firm:—  
New place of business.
- Dated this ... ..day of.... .....195... ..  
Witness to the signature of .. ... ..

N. B.—(1) Strike out item not required.  
(2) This from must be signed by any partners or their agents specially authorised in this behalf in the presence of a witness or witnesses who must be a Gazetted Officer, a Magistrate, Notary Public or an advance of the High Court.

Fee Re. 1  
PORM C.

*Notice of change of address.*  
(See Section 61).

Firm's name.....  
Registered address.....  
Notice is hereby given pursuant to section 61 of the Indian Partnership Act, 1932, that the changes specified below have occurred in this firm:—

(a) The firm has discontinued business at\*

(b) The firm has begun to carry on business at.....

Dated this..... day of.....195.....

Witness to the signature of.....

N. B.—(1) Strike out item not required.

(2) This form must be signed by any partner or agent of the firm in the presence of a witness or witnesses who must be a Gazetted Officer, a Magistrate, a Notary Public or as advocate of the High Court.

Fee Re. 1.

FORM D.

*Notice of change in the name of Permanent address.*

(See Section 62)

Firms name.....

Registered address.....

Notice is hereby given pursuant to section 62 of the Indian Partnership Act, 1932, that the changes specified below have occurred in this firm:—

(a) Change in the name of any partner in a registered firm.

(b) Change in the permanent address of any partner in registered firm.

Dated this ..... day of .....195.....

Witness to the signature of.....

N. B.—(1) Strike out item not required.

(2) This form must be signed by any partner or agent of the firm in the presence of a witness or witnesses who must be Gazetted Officer, a Magistrate, a Notary Public or in Advance of the High Court.

Fee Re. 1.

FORM E.

*Notice of change of constitution.*

(See Section 63).

Firm's name.....

.....

Registered address .. .. .

.....

a partner in the above mentioned firm

an agent of a partner in the above mentioned firm.

I being a person specially authorised by

a partner in the above mentioned firm to give

notice in this behalf.

hereby give notice that—

(a) The constitution of the firm has been altered by\*

(b) The said firm has been dissolved.

\*Such place must not be principal place of business.

\*Give full name and address of any new partner and the date of his joining the firm.

Dated this... .. day of.... ..195.

Witness to the signature of... ..

N. B.—(1) Strike out item not required.

(2) This form must be signed by a partner, his agent or any person specially authorised in this behalf in the presence of a witness or witnesses who must be a Gazetted Officer, a Magistrate, a Notary Public or an Advocate of the High Court.

Fee Re. 1.

### FORM F.

*Notice of Election by a person admitted as a Minor to the Benefits of Partnership in a firm to become or not to become a Partner.*

[See Section 63 (8)]

Firm's name.... ..

Registered address.... ..

Partnership in the firm in the firm having been  
benefits of partnership

specially authorised in this behalf hereby give notice the  
I have elected to become a partner in the above  
the said person has not to become.  
mentioned firm.

Dated this.....day of.....195.

Witness to the signature of.....

N. B.—(1) Strike out item not required,

(2) This form must be signed by a person admitted as a minor the benefite of partnership or his agent specially authorised in this behalf is the presence of a witnesses who must be a Gazetted Officer, as a Magistrate, a Notary Public or an Advoca t of the High Court.

# THE INDIAN PARTNERSHIP ACT (Adaptation) ORDER, 1957.

LAW & JUDICIAL (A) DEPARTMENT  
ORDER

Jaipur, October 30, 1957.

no. F. 11. (160) LJ (A) / 57.—In exercise of the powers conferred on 120 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) and the powers enabling it in this behalf the Government of Rajasthan hereby the following Order, namely:—

(1) This Order may be called the Indian Partnership Act (Adaptation) Order, 1957.

## Notes.

This Order has been necessitated in consequence of reorganisation of State in the States Reorganisation Act, 1956. The enabling section 120 provides

For the purpose of facilitating the application of any law in relation to any States formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed day, make such adaptations and modifications of the law, whether by way of amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until repealed or amended by a competent Legislature or other competent authority. In this section, the expression "appropriate Government" means—

(a) as respects any law relating to a matter enumerated in the Union List, the Central Government; and

(b) as respects any other law—

(i) in its application to a Part A State, the State Government, and

(ii) in its application to a Part C State, the Central Government.

(2) It shall come into force at once.

2. In the Indian Partnership Act, 1932 (Central Act IX of 1932), after section 59, the following new section shall be inserted, namely:—

"59A. *Deletion and addition of entries relating to certain firms by reason of reorganisation of States.*—(1) Notwithstanding anything contained in this Chapter, the Registrar of Firms appointed for any area by the Government of Rajasthan may, by order in writing, amend the register of firms maintained by him by deleting therefrom the entries relating to any firm whose place of business, by reason of the reorganisation of States in accordance with the States Reorganisation Act 1956 (Central Act 37 of 1956), ceased to be situated in the State of Rajasthan.

(2) The Registrar may likewise and without charging any fee amend the register by adding thereto the entries relating to any firm included in the register of another State but whose place of

2 ] The Rajasthan Indian Partnership Act, (Adaptation) Order 1957.

business has, by reason of such reorganisation, become part of the area within his jurisdiction in the State of Rajasthan.

(3) The Registrar shall, before passing any order under sub-Section (1) or sub-section (2), make such inquiry as he deems necessary and give notice to the firm and the Registrar of the State concerned.

(4) After such amendment, the Registrar shall cease to perform the functions of a Registrar in respect of any firm the entries relating to which have been deleted as aforesaid and shall perform all the functions of a Registrar in respect of any firm the entries relating to which are added as aforesaid.

(5) Any person aggrieved by an order made under sub-section (1) or sub-section (2) may appeal to such authority and within such time as may be specified in this behalf by the Government of Rajasthan by notification in the Official Gazette and such authority shall pass such order on the appeal as it thinks fit.

(6) An order of the Registrar made under sub-section (1) or sub-section (2) or, where an appeal has been preferred against it under sub-section (5), the order of the appellate authority shall be final.

(7) The provisions of this section shall cease to be in force from such date as the Government of Rajasthan may, by notification in the Official Gazette, appoint.

By Order of the Governor,  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

# The Rajasthan Partnership (Fees) Rules, 1954.

## COMMERCE AND INDUSTRIES DEPARTMENT NOTIFICATIONS

Jaipur, July 25, 1955

No. F. 19(1) C & I/54.—In exercise of the powers conferred by sub-section (1) of section 71 of the Indian Partnership Act, 1932 (IX of 1932) the Government of Rajasthan is pleased to make the following Rules, the same having been previously published, namely:—

1. These Rules may be called the Rajasthan Partnership (Fees) Rules 1954, and shall come into force on and from the date of their publication in the Rajasthan Gazette.

### Notes.

These rules have been framed in pursuance of Sub section (1) of section 71 of the Indian Partnership Act, 1932. which reads as under:—

The State Government may make rules prescribing the fees which shall accompany documents sent to the Registrar of Firms or which shall be payable for the inspection of documents in the custody of the Registrar of Firms, or for copies from the Register of Firms :

Provided that such fees shall not exceed the maximum fees specified in Schedule I.

2. In these rules, words and expressions have been used in the same sense in which they have been defined in rule 2 of the Rajasthan Partnership Rules, 1952.

3. The following fees are hereby prescribed as the fees which shall accompany documents sent to the Registrar of Firms, or which shall be payable for the inspection of documents in his custody or of the Register or Forms, or for copies from the Register of Firms.

<i>Document or Act in respect of which the fee is payable.</i>	<i>Fee</i>
Statement under section 58	Three Rupees
Statement under section 60	One Rupee
Intimation under section 61	One Rupee
Intimation under section 63	One Rupee
Notice under section 63	One Rupee
Application under section 64	One Rupee
Inspection of the Register of firms under sub-section (1) of section 66	Eight annas for inspecting one volume of the Register.
Inspection of documents relating to a firm under sub-section (2) of section 66.	Eight annas for the inspection of all documents relating to one firm.
Copies from the Register of Firms.	Four annas for each hundred words or part thereof.

4. Fees for copies of documents in the custody of the Registrar shall be such as may be prescribed separately in Rules made under sub-section (2) of section 71 of the said Act.

These rules has been first. Published in Raj. Raj-patra Dated August 6 1955  
part IV (c) at page 316.

fications under

## PARTNERSHIP ACT, 1932.

ished in Raj. Raj-patra Vol. 2 Dated 9-9-50 part II at page 334-335

Office of the Registrar, Joint-Stock  
Companies and Firms, Rajasthan, Jaipur.

### NOTICE.

It is hereby notified for general information that the printed  
plication forms (specimen given as under) for registration of firms  
under section 58 of the Indian Partnership Act, 1932, can now be  
ad from the Office of Registrar, Joint Stock Companies and Firms,  
ajasthan Jaipur, on payment of one anna per form plus postage.

R P. BHARGAVA,  
Registrar, Joint Stock Companies  
and Firms, Rajasthan, Jaipur.

FORM No. 1

Filing Fee Rs. 3/-

### THE INDIAN PARTNERSHIP ACT, 1932.

APPLICATION for Registration of Firm by the Name.....

Presented to the Registrar of Firms for filing by.....  
Forwarded .....

We, the undersigned, hereby apply for registration as a Firm  
and for that purpose supply the following particulars in pursuance of  
section 58 of the Indian Partnership Act, 1932.

(a) Firm's Name .....

(b) Place of Business.....

(i) Principal .....

(ii) Other place.....

(c) Name, percan- tage, age and perma- nent address of the partners.	(d) Date on which each partner joined the Firm	Signature of the partners or their specially autho- rised agents.

Duration of the Firm.....

Station.....Date.....

I/We.....

do hereby declare that the above statement is true and correct to the  
best of my/our knowledge and belief.

Date.....



Witness (1).....Signature of 1.....  
 Partners.  
 .....2.....  
 .....3.....  
 (2).....4.....  
 .....5.....

(e) If any partner is a minor the fact whether he is entitled to the benefits of partnership should be set out herein.

*Note:—*This form must be signed by all partners or their agents specially authorised in this behalf in the presence of witnesses who must be a Gazetted Officer, Advocate, Vakil, Honorary Magistrate, a magistrate or a Notary Public.

The following conditions should be duly complied with for the registration of a firm under the Indian Partnership Act, 1932.

1. The application should be made in accordance with the form given in the Indian Partnership Rules, 1932, printed copies of these forms may be obtained from this office on prepayment of... ..each, plus postage.

2. The full address of the principal place of business should be given against item (b).

3. The date of joining of the in-coming partners should be given against item (d).

4. Names in full, age and permanent residential addresses of all the partners should be given against item (c).

5. A minor may be admitted to the benefits of the partnership, but he cannot be a partner. Only the particulars required in item (e) may be shown therein.

6. The duration of the firm (*i.e.*, the period for which the partnership is to continue) should be mentioned. If no period is fixed, the words "Partnership at will" may be stated.

7. The application should invariably bear the date on which it is presented.

8. This form must be signed by all partners or their agents specially authorised in this behalf in the presence of witnesses who must be a Gazetted Officer, Advocate, Vakil, Honorary Magistrate, a Magistrate or a Notary Public.

9. The power of attorney authorising the agent to sign on behalf of one of the partners should be sent this office for inspection along with a true copy of the same.

10. The erasures and corrections should be initialled by all the partners.

11. The said application should be accompanied by a fee of Rs. 3/-.

12. If there is only one partner left, then the firm should be considered as dissolved and the form should be filled in accordingly.

13. A firm as such cannot be a member of a partnership the names of all the individual partners of such firm should be stated and all such partners should sign the form.

*Published in Raj. Raj-patra Dated August 4, 1956 part 1 (a) page 138.*

### NOTIFICATIONS.

Jaipur, July 25, 1956.

No. F. 8(27)/C I (B)/52/11106/I/50.--In exercise of the powers conferred under Section 57 (1) of the Indian Partnership Act, (IX of 1932) the Government of Rajasthan are pleased to appoint Shri Jaswant Singh Singhvi, R.A.S., Joint Director of Industries and Commerce. Rajasthan, Jaipur as Ex officio Registrar of Partnership Firms throughout the territory of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 No. 2 Dated 8-4-50 part 1 at page 13:*

Cooperative Department.

### ORDER.

Jaipur, February 22, 1950.

No. F. I (116) Coop-50.--In pursuance of section 57 of the Indian Partnership Act, 1932 of the Central Legislature, as adapted to Rajasthan, the Government of Rajasthan is pleased to appoint the Registrar, Cooperative Societies, as Registrar of firms for the purposes of the said Act.

H. D. UJWAL,  
Secretary to the Government.  
in the Cooperative Department,  
Rajasthan, Jaipur.

Witness (1).....Signature of 1.....  
 Partners.  
 ..... 2.....  
 ..... 3.....  
 (2)..... 4.....  
 ..... 5.....

(e) If any partner is a minor the fact whether he is entitled to the benefits of partnership should be set out herein.

*Note*.—This form must be signed by all partners or their agents specially authorised in this behalf in the presence of witnesses who must be a Gazetted Officer, Advocate, Vakil, Honorary Magistrate, a magistrate or a Notary Public.

The following conditions should be duly complied with for the registration of a firm under the Indian Partnership Act, 1932.

1. The application should be made in accordance with the form given in the Indian Partnership Rules, 1932, printed copies of these forms may be obtained from this office on prepayment of..... each, plus postage.

2. The full address of the principal place of business should be given against item (b).

3. The date of joining of the in-coming partners should be given against item (d).

4. Names in full, age and permanent residential addresses of all the partners should be given against item (c).

5. A minor may be admitted to the benefits of the partnership, but he cannot be a partner. Only the particulars required in item (e) may be shown therein.

6. The duration of the firm (*i.e.*, the period for which the partnership is to continue) should be mentioned. If no period is fixed, the words "Partnership at will" may be stated.

7. The application should invariably bear the date on which it is presented.

8. This form must be signed by all partners or their agents specially authorised in this behalf in the presence of witnesses who must be a Gazetted Officer, Advocate, Vakil, Honorary Magistrate, a Magistrate or a Notary Public.

9. The power of attorney authorising the agent to sign on behalf of one of the partners should be sent this office for inspection along with a true copy of the same.

10. The erasures and corrections should be initialled by all the partners.

11. The said application should be accompanied by a fee of Rs. 3/-.

12. If there is only one partner left, then the firm should be considered as dissolved and the form should be filled in accordingly.

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<sup>3</sup> in *Raj. Raj-patra* Dated August 4, 1956 part 1 (a) page 138.

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H. D. UJWAL,  
Secretary to the Government.  
in the Cooperative Department,  
Rajasthan, Jaipur.

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*Rules and Notifications under*

PASSENGERS & GOODS TAXATION ACT, 1959  
( RAJ. ACT No. 18 OF 1959 )

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# Rajasthan Passengers and Goods

## Taxation Rules, 1959

Excise and Taxation Department.

### NOTIFICATION

*Jaipur, April 30, 1959.*

No. F. 15 (4)/E & T/59 —In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act No. 18 of 1959), the Government of Rajasthan hereby makes the following rules, namely :—

### CHAPTER I

#### *Preliminary.*

1. *Short title and commencement* —(i) These rules may be called the Rajasthan Passengers and Goods Taxation Rules, 1959.  
(ii) They shall come into force on the first day of May, 1959.

#### *Notes*

The Rajasthan Passengers and Goods Taxation Act, 1959 has been enacted to provide for levying a tax on passengers and goods carried by road in motor vehicles. Sub-section (1) of section 21 of the Act authorises the State Government to make rules for securing the payment of such tax and generally for the purposes of carrying into effect the provisions of this Act. In particular and without prejudice to the generality of this power, the State Government are required to make rules for :—

(a), (b), (c), (d), (e), (f), (g), (h) & (i).

The present rules have been framed for the purpose of providing for the matters which are required to be prescribed as aforesaid.

2. *Definitions.*—In these rules, unless the context otherwise requires, :—

(a) “Act” means the Rajasthan Passengers and Goods Taxation Act, 1959 (No. 18 of 1959).

(b) “agent” means a person authorised in writing by an owner to appear on his behalf before any officer or authority acting under the Act, being—

(i) a friend or relation of the owner; or

(ii) a person holding a general or special power of Attorney executed by the owner; or

(iii) A Sales Tax Practitioner as defined in the Rajasthan Sales Tax Rules, 1955.

(c) “Assessing Authority” in relation to any owner means the Assistant Commissioner, Excise and Taxation or the Sales Tax Officer [or Assistant Sales Tax Officer] within whose jurisdiction the owner’s place of business is situated.

(d) “Assistant Commissioner, Excise and Taxation or Sales Tax Officer [or Assistant Sales Tax Officer]” means the person holding office with that designation under the State Government and appointed under section 7 of the Act to assist the Commissioner

(e) "Free luggage allowance" means the weight of the personal luggage allowed to be carried, free of charge, in a stage carriage by a passenger, travelling by that carriage;

(f) "Goods receipt" means the receipt prepared by an owner of a motor vehicle in respect of the goods carried or transported by him;

(g) "Treasury" means the Government Treasury, or Sub-Treasury of a district or tehsil, as the case may be;

(h) "place of business" in relation to an owner means the place in Rajasthan where the accounts of business are kept and if there are more than one such place, the principal place of business in Rajasthan where the entire accounts are kept and where there is no such place, it means the place in Rajasthan at which his motor vehicle is registered or his permit is countersigned under the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and where an owner has got his motor vehicle registered in more than one district, such place as is nominated by him as his place of business;

(i) "Stamp" means a stamp issued by the State Government under rule 8;

(j) "ticket" means a ticket issued by an owner;

(k) "year" means the financial year.

(l) "prescribed authority" means—

(i) Assessing authority for the purpose of sections 3, 6, 8, 10, 17 & 20;

(ii) an Officer of the Excise and Taxation Department not below the rank of an Inspector for the purpose of sections 12, 13 & 16.

## CHAPTER II

### *Table of fares, Freights and Timings and Issue of Tickets*

3. *Supply of table of fares and freights and table of timings of arrival and departure.*—(1) Every owner shall furnish to the Assessing Authority within a fortnight of the publication of these rules, a correct and complete table showing the actual rates of fares and freights chargeable for the carriage or transport of passengers and goods fixed under the Motor Vehicles Act, 1939 (Central Act 4 of 1939), and the rules made thereunder. and in the case of a stage carriage, a table showing the timings of arrival and departure of such vehicle, the [free luggage allowance admissible to each passenger and the rate of] freight per maund chargeable for any luggage in excess of the free luggage allowance.

(2) Any alteration in the rates of fares and freights or in the hours of arrival and departure or in the extent of free luggage allowance as furnished to the Assessing Authority under sub rule (1) shall be communicated in writing by the owner to the Assessing Authority forthwith.

4. *Passenger tickets*.—(1) A ticket for the carriage of a passenger and his luggage in excess of the free luggage allowance shall be in form *R. P. G. T. I*:

(2) A season ticket shall be in form *R. P. G. T. I-A* [ the stage carriage shall however issue a single ticket to one passenger].

(3) A plural ticket, issued when a stage carriage is used as a contract carriage will be in form *R.P.G T. 1* and shall clearly state both in figures and words, the number of passengers in respect of which such ticket is valid, in addition to the other particulars specified in form *R.P.G.T. 1*

Provided that the tickets for stage carriage playing within the Municipal limits shall be in Form *R. P. G. T. 1 B*.

5. *Goods receipt*.—A receipt for the transport of goods, other than luggage carried by a passenger with him on a motor vehicle shall be in form *R.P.G.T. 2*.

6. *Tickets and goods receipt*.—(a) The tickets prescribed under rule 4 shall be printed and bound in books of 100 tickets each. Each ticket shall be in duplicate and bear a serial number and the numbers of the tickets in the various books shall be consecutive and in an ascending order. The last serial number shall go up to 1,00,000 where after a fresh series of books should be got printed under advice to the Assessing Authority concerned. The serial numbers shall be printed.

(b) Every ticket shall have perforation between the foil and the counterfoil and the foil portion of the ticket shall be given to the Passenger who shall retain it till the termination of the journey (and such ticket shall not be taken back from the passenger.)

#### *Notes.*

Words, "and such ticket shall not be taken back from the passenger" appearing in brackets at the end of rule have been added vide amending Notification No. F. 15 (4) ET/59 dated 4/1/60, published in Rajasthan Raj-patra, part IV (c), dated 18/2/60.

(c) The receipts prescribed under rule 5 shall be printed in triplicate and bound in books of 100 receipts each. Each receipt shall bear a serial number and the number of the receipts in the various books should be consecutive and in an ascending order. The last serial number shall go up to 20,000 whereafter a fresh series of books shall be got printed under advice to the Assessing Authority concerned. The serial number on the books and receipts shall be printed.

(d) The counterfoil shall be retained in the book while the first and second foils shall be given to the driver and the consignor respectively.

(e) The counterfoil of tickets and original receipts shall be retained by the owner till ordered to be destroyed by the Assessing Authority.

7. *Use of existing tickets and receipts*.—Subject to the provisions contained in clauses (b) and (e) of rule 6—the ticket and



receipt forms in stock with owners at the commencement of these rules may be used, till such date as may be notified by the Commissioner, even though they do not conform to the forms prescribed by rules 4 and 5 respectively, provided they are printed in duplicate, so as to provide for a counterfoil, are serially numbered and show the places of both commencement and termination of a journey, and the amounts of tax and fare charged are separately indicated thereon.

*Notes.*

Rules 4, 5, 6 & 7 have been framed for the purpose of putting into effect the requirements of section 5 of the Act which reads as under :—

(1) Save as otherwise provided by this Act, no passenger shall be allowed to travel by the owner in a motor vehicle unless he is issued a ticket in the prescribed form for the journey, denoting that the tax has been paid;

Provided that if a journey begins outside the State the tax shall become chargeable on entry within the State in the prescribed manner.

(2) Save as otherwise provided by this Act, no goods shall be allowed to be carried in a motor vehicle unless the person in charge of the vehicle or a passenger, as the case may be, has in his possession a receipt in the prescribed form issued by the owner of the motor vehicle, showing the freight charged and denoting that the tax due under the Act has been paid.

8. *Method of payment of tax.*—(i) The tax chargeable under the Act on [fares or freight] shall be paid by affixing to the ticket issued thereunder in the manner provided in these rules or notified by the State Government, a stamp issued by the State Government for the purposes of the Act;

Provided that if the Commissioner so directs or if at any time stamps are not available, such tax may be paid in the manner laid down in Chapter III of these rules;

Provided further that the tax payable under the Act on fare by the owner of a motor-cycle, rickshaw or a motor cab shall be paid to the State Government in lump sum, of which the amount shall be fixed by the State Government from time to time by Notification in this behalf.

(ii) The owner of the public carrier shall pay to the State Government a lump sum in lieu of the tax chargeable under the Act on freight and the amount of such lump sum shall be fixed by the State Government from time to time by Notification in this behalf.

*Notes.*

Section 3 of the Act which authorises the levy of tax on passengers and goods carried by road in motor vehicles reads as under :—

(1) There shall be levied, charged and paid to the State Government a tax on all fares and freights in respect of all passengers carried and goods transported by motor vehicles at such rate not exceeding one eighth of the value of the fare or freight, in the case of cemented, tarred, asphalted, metalled, gravel and kankar roads and not exceeding one-twelfth of such value in order cases, as may be notified by the State Government from time to time subject to a minimum of one naya paisa in any one case, the amount of tax being calculated to the nearest naya paisa.

When passengers are carried and goods are transported by a motor vehicle, no fare or freight has been charged, the tax shall be levied and paid as if such passengers were carried or goods transported at the normal rate prevalent on the date.

(2) Where any fare or freight charged is a lump sum paid by a person on account of a season ticket or as subscription or contribution for any privilege, right or facility which is combined with the right of such person being carried or his goods transported by a motor vehicle without any further payment or at a reduced charge, a tax shall be levied on the amount of such lump sum or on such amount as appears to the prescribed authority to be fair and equitable having regard to the fare or freight fixed by a competent authority under the Motor Vehicles Act, 1939 (Central Act 4 of 1939).

(3) Where passengers are carried or goods transported by a motor vehicle from any place outside the State to any place within the State, or from any place within the State to any place outside the State, the tax shall be payable in respect of the distance covered within the State at the rate laid down in sub-section (1) and shall be calculated on such amount as distance covered in the State bears to the total distance of the journey:

Provided that where passengers are carried or goods transported by a motor vehicle from any place within the State to any other place within the State through the intervening territory of another State, the tax shall be levied on the full amount of the fare or freight payable for the entire journey and the owner shall issue a single ticket or receipt, as the case may be, accordingly.

Words, "fares or freights" appearing in brackets have been substituted for the original words, "fare" in sub-rule (i) of rule 8 vide corrigendum Notification dated 30/4/59, published in Rajasthan Raj-patra, part IV (c), dated 30/4/59.

**8-A. Provisions for payment of lump sum in lieu of tax on fare or freight.**—(1) In cases covered by the second proviso to sub-rule (1) of rule 8 and by sub-rule (ii) of that rule the lump sum fixed by the State Government as payable in lieu of the tax on fare or freight, as the case may be, shall be deposited in cash into a Government Treasury or a Sub-Treasury in equal quarterly instalment payable within 15 days from the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December every year and in case of such vehicles not registered in Rajasthan to the incharge of the check post or barrier at the time of their entry into the State of Rajasthan or to the officer of the Excise and Taxation Department nearest to the point of entry into the State and having jurisdiction over that area.

Provided that—

(a) for the quarter ending on the 30th day of June, 1959, such payment shall be made for the months of May and June, 1959 at the rate of 1/12 of the said sum for each month.

Notes.

Words starting with "and in case" and ending with, "over that area" appearing in brackets at the end of rule 8 A (i) over the proviso, have been added vide amending Notification No. F. 15 (4) ET/59, dated 4/1/60, published in Rajasthan Raj-patra, Part IV (c) dated 18/2/60.

Clause (e) to sub-rule (1) of Rule 8 A has been newly added vide the same amending notification.

(b) where the owner has not plied his vehicle for the entire quarter immediately preceding any of the aforesaid

dates a proportionate decrease in the amount due for that quarter may be made.

(c) if the owner ceases to ply his vehicle on a date preceding any of the aforesaid dates, the proportionate amount for the quarter shall be paid by him immediately upon such cessation, and

(d) where the owner has not plied his vehicle for a continuous period of not less than three months and produces a certificate from the authority competent under the Rajasthan Motor Vehicles Taxation Act, 1951 or the rules made thereunder to the effect that he has been refunded the tax for that period under section 7 of the said Act, no amount by way of tax under the Act shall be payable for such period.

(e) Where the tax is paid in cash at the Check Post or barrier at the time of entry or to the officer of the Excise and Taxation Department nearest to the point of entry, a receipt will be obtained by the depositor in Form G.A. 55";

(2) The owner shall inform the Assessing Authority as soon as his vehicle goes out of use. When the vehicle is again put on the road, an intimation to that effect shall be sent to the Assessing Authority immediately.

(3) If a permit is countersigned for plying a vehicle in an adjoining State the owner holding the permit shall intimate this fact to the Assessing Authority.

(4) Where the tax is deposited at a place outside the jurisdiction of the Assessing Authority, the owner shall intimate, within a week of such deposit, all the particulars as to the deposit made at such other place to the Assessing Authority.

#### 9. *Calculation and recovery of penalty under section 13.—*

(1) The prescribed authority shall recover penalty in respect of the tax amounting to double the amount of fare from the starting point of the journey of the defaulting passenger to the point of detection of default.

(2) The prescribed authority shall recover the penalty from the defaulting passenger at the spot and in cash and shall issue a receipt in form *R.P.G.T. 3* in duplicate, retaining the carbon copy with him and giving the original copy thereof to the passenger in token of having received the amount. He shall also direct the owner of the motor vehicle to issue a regular ticket to the passenger from the point of detection to the point of termination of his journey.

(3) The said officer shall maintain a regular account of the penalty amount recovered by him and shall deposit the amount so recovered in the nearest Government Treasury within three days.

(4) The said officer shall submit a monthly detailed account of the penalty amount to the Assessing Authority by the 5th of the

next month in the manner and on such forms as may be prescribed by the Commissioner.

(5) The Assessing Authority concerned shall check the monthly accounts submitted by the said officers and shall have the figures reconciled with the treasuries.

#### Notes.

Section 13 of the Act provides that, "A passenger shall, upon demand made during the course of or immediately before or after the journey, produce to any prescribed authority the ticket, voucher or document relating to his travel or to the carriage of his goods. On his failure to do so he would be chargeable with twice the fare as penalty.

### CHAPTER III

#### *Payment of tax*

10. *Payment of tax under rule 8.*—(1) Every owner who pays tax under [the first proviso to sub-rule (i)] of the rule 8 shall maintain with each vehicle a register in form *R.P.G.T.* 6 and entries in this register shall be made for each trip separately.

#### Notes.

Words, "the first proviso to sub-rule (i)" appearing in brackets have been substituted for the original words, "sub-rule (ii)" vide corrigendum Notification dated 30/4/59, published in Rajasthan Raj-patra, part IV (c), dated 30/4/59.

(2) The tax collected shall be deposited by the owner with the Treasury within seven days of the close of the month during which the tax has been collected.

(3) Every owner shall within ten days of the close of the month to which such payment relates, submit to the Assessing Authority a return in form *R.P.G.T.* 7.

11. *Security deposit by owners.*—Every owner of a motor vehicle liable to pay the tax under the Act shall within 30 days of the enforcement of the Act or within 15 days of commencement of such liability, whichever may be earlier deposit with the Assessing Authority by way of security such sum, not exceeding one thousand rupees, as that authority may in each case determine.

12. *Return to be accompanied by Treasury receipt.*—Every return furnished under rule 10 (3) shall be accompanied by a treasury receipt showing the amount of tax paid by the owner into the Treasury.

13. *Challan form.*—All payments shall be made by means Challan in form *R.P.G.T.* 8. Challan forms shall be obtainable free of charge at the office of the Assessing Authority.

14. *Challans to be filled up in quadruplicate.*—Challans shall to be filled up in quadruplicate. One copy of the challan shall be retained by the Treasury, one copy shall be sent by the Treasury Officer to the Assessing Authority and the other two copies shall be returned to the owner, duly signed, in proof of payment. One copy thereof shall be attached to the monthly return required to be

furnished in Form *R.P.G.T.* 7 under rule 10 (3) and the other copy shall be retained by the owner for his record.

## CHAPTER IV

### *Refunds*

15. *Refund*.—If the Assessing Authority is satisfied upon a claim, made in this behalf by any owner, that the tax paid by him or on his behalf is in excess of the amount payable by him, the Assessing Authority shall allow a refund of the amount paid in excess, to such owner, or in case of death of such owner, to his legal representative:

Provided that no claim for the refund of any tax or penalty shall be entertained unless it is made within six months of the date of the passing of the order of assessment or within three months of the date of the final order passed in appeal, whichever is later.

16. *Refund Payment order*.—When an order of refund has passed, the Assessing Authority shall issue a refund payment order in Form *R.P.G.T.* 4 and forward it to the owner for encashment at the Government Treasury. An advice of the refund payment order shall also be forwarded simultaneously to the Treasury Officer concerned.

#### Notes.

Rules 15 and 16 have been framed under the authority of section 20 of the Act which provides that, The prescribed authority shall, in the prescribed manner, refund to a registered owner, applying in this behalf, any amount of tax paid by such owner in excess of the amount due from him under this Act.

## CHAPTER V

### *Registers and Returns*

#### Notes

The registers and returns and inspection note-book have been prescribed in this chapter as required under section 6 of the Act.

17. *Register of tickets issued*.—Every owner shall maintain separate accounts of the passenger tickets and goods receipts issued in accordance with rules 4 and 5 respectively, showing the amount of fare and freight, as the case may be, and the tax charged, if any (except when a passenger ticket also shows the freight charged by an owner and no separate goods receipt is issued for the purpose).

18. *Inspection Note Book*.—Every owner shall maintain or cause to be maintained on each vehicle an Inspection Note Book which shall, on demand, be produced before an Inspecting Officer for recording of remarks by the said officer. The book shall be in Form *R.P.G.T.* 5 and the owner shall get it authenticated by the Assessing Authority before bringing it into use and the one already in use shall be surrendered to the Assessing Authority.

## CHAPTER VI

*Assessment*

19. *Assessment.*—(i) When tax is paid under [First proviso to sub-rule (i) of Rule 8] if the Assessing Authority is satisfied without requiring the presence of the owner or the production by him of any evidence that the returns furnished under rule 10 (3), in respect of any period are correct and complete it shall at the close of the year or after the closure of business, if it takes place during the year, assess the amount of tax due from the owner on the basis of such returns.

*Notes*

For the original words and figures, "Rule 8 (ii)" the words and figures, "First proviso to sub-rule (i) of Rule 8" appearing in brackets have been substituted vide amending Notification dated 4-1-60 as referred to above.

(ii) If at the close of the year or at the closure of the business during the year, the Assessing Authority without requiring the presence of an owner or the production of evidence by him is not satisfied with the returns furnished or the tax paid in respect of any period, by him, it shall serve on such owner, a notice in Form R.P.G.T. 9, requiring him on a date and at a place to be stated therein, either to attend in person or to produce or cause to be produced any evidence on which such owner may rely in support of such returns.

(iii) On the day specified in the notice or as soon afterwards as may be, the Assessing Authority after hearing such evidence as the owner may produce and such other evidence as the Assessing Authority may require on specified points, shall assess the amount of tax due from the owner.

20. *Notice of demand.*—If any sum is payable by an owner under the Act or these rules, the Assessing Authority shall serve a notice in Form R.P.G.T. 10 and shall also fix a date, not less than fifteen days from the date of service, by which the owner shall furnish the receipted challan in proof of such payment.

21. *Re-assessment of tax and rectification of clerical or arithmetical mistakes.*—If, in consequence of definite information which has come into his possession, the appropriate Assessing Authority discovers that an owner of a motor vehicle has been under assessed or has escaped assessment for any year, or tax less than the amount of tax due has been levied through inadvertence, error, misconstruction or otherwise, the Assessing Authority may, at any time within a period of three years following the close of the financial year to which it pertains, send a notice to the owner in Form R.P.G.T. 11, and after hearing him and such enquiry as he considers necessary may proceed to re-assess and recover the tax payable by him.

## CHAPTER VII

### *Appeal and Revision*

#### *Notes*

Sections 14 and 15 of the Act giving rights of appeal and revision are reproduced below:—

14. (1) An appeal shall lie to the appellate authority appointed by the State Government in this behalf, within sixty days of the passing of any order appealed against, provided that this period may be extended for good cause shown to the appellate authority:

Provided that no appeal shall be entertained by such authority unless he is satisfied that the amount of tax assessed has been paid:

Provided further that such authority, if satisfied that an owner is unable to pay the tax assessed, may for reasons to be recorded in writing entertain an appeal without such tax having been paid.

(2) The order of the appellate authority shall be final except as provided in section 15.

15. (1) The Commissioner may, of his own motion, or, on application made to him in the prescribed manner, call for the record of any proceedings, which are pending before or have been disposed of by any other authority subordinate to him under this Act for the purpose of satisfying himself as to the legality or propriety of such proceedings or of any order made therein and may pass such orders in relation thereto as he may think fit:

Provided that the owner may make such application only within one year from the date of the order required to be revised.

(2) No order shall be made under this section or the next preceding section without giving the owner or any other person interested a reasonable opportunity of being heard.

22. *Mode of presenting appeals under the Act.*—A memorandum of appeal may be presented to the appellate authority by the appellant or his agent, or it may be sent to the appellate authority by registered post.

23. *Form of appeal.*—(1) The memorandum of appeal shall contain the following particulars:—

- (a) the date of the order appealed against;
- (b) the name and designation of the officer who passed the order; and
- (c) the grounds of appeal briefly but clearly set out.

(2) It shall be accompanied by a certified copy of the order appealed against.

(3) It shall be endorsed by the appellant or his agent as follows:—

- (a) that the amount of tax assessed and penalty (if any) imposed has been paid, and
- (b) that to the best of his knowledge and belief the facts set out in the memorandum are true.
- (4) It shall be signed by the appellant or his agent.

24. *Summary rejection of appeals.*—The appeal may be summarily rejected, if the appellant fails to comply with any of the requirements of rule 23.

25. *Hearing of appeal.*—If the appellate authority does not reject the appeal summarily, he shall fix a date for its hearing. The appeal shall be decided after notice to the Assessing Authority concerned and after considering any representation that may be made by it and after giving an opportunity to the appellant and such other persons as in the opinion of the appellate authority may directly be interested in the result of the appeal of being heard in person or by a duly authorised agent. The appellate authority may before deciding the appeal itself hold such further enquiry or direct it to be held by the authority against whose decision the appeal has been preferred or by any other authority, as may appear necessary to the said appellate authority.

26. *Revision.*—(1) The provisions of rules 23 and 24 shall apply *mutatis mutandis* to every application for revision.

(2) Every application for revision shall be accompanied by a Treasury receipt of Rs. 25/-.

## CHAPTER VIII

### *Miscellaneous.*

27. *Distribution of business amongst Assessing Authorities.*—Where there are more than one Assessing Authority in a district, their respective jurisdiction and the distribution of business amongst them shall be fixed by the Government or in so far it is not so fixed, shall be fixed by the Commissioner.

28. *Uniform and insignia under section 12.*—The Uniform and insignia to be worn by the authorities under section 12 of the Act shall be as prescribed under Excise and Taxation Department Notification No. F. 566 (5/1/14) Administration 54 dated 15-3-1955.

29. *Power to require production of accounts, registers and documents, and power to seize them and to issue instructions.*—An Assessing Authority may, for carrying out the purposes of the Act or these rules:—

(a) at any time, call from or require an owner to produce or cause to be produced any accounts, tickets, registers documents and other particulars relevant to the business of the owner;

(b) seize accounts, tickets, registers or documents of the owner if there is reason to believe that the owner is attempting to evade the payment of any tax payable by him under the Act:

Provided that whenever any accounts, tickets, registers or documents are seized, a receipt shall be granted to the owner for the same and the seized papers shall be retained only for so long as may be necessary for the examination thereof or for purposes of any prosecution;



(c) issue from time to time instructions to the owner for the proper maintenance of registers, tickets and accounts used or to be used in connection with the business of the owner;

and the owner shall comply with such requirements and instructions.

30. *Motor vehicle owner exhibit instructions or notices.*— Motor Vehicle owner shall exhibit at a conspicuous place in his vehicle, any instruction, or notice issued under the Act or these Rules whenever so required by the Commissioner.

*Notes.*

Rule 30 has been newly added vide amending Notification No. F. 15 (4) ET/59 dated 4-1-60, published in Rajasthan Rai-patra, part IV (c), dated 18-2-60.

Foil

Counterfoil

## FORM R.P.G.T. 1.

## PASSENGER TICKET

(See Rule 4 of the Rajasthan Passengers and Goods  
Taxation Rules, 1959)

Serial No....      ....      ....      Book No..... ..

Motor Vehicle No....      ....      ....

Number of seats.....      ....      ....

From ...      ....      ....      To....      ....      ....

Fare charged Rs....      ....nP      ....

Freight charged (if any) Rs.....nP..

Total Rs...      ....      ....nP....      ....

Tax charged Rs ...      ....nP....      ....

Date....      ....      ....      ....

Signature of the owner or Conductor.

## FORM R.P.G.T. 1

## PASSENGER TICKET

(See Rule 4 of the Rajasthan Passengers and Goods  
Taxation Rules, 1959).

Serial No....      ....      ....      Book No..... ..

Motor Vehicle No. ...      ....      ....

Number of seats.....      ....      ....

From....      ....      ....      To....      ....      ....

Fare charged Rs....      ....nP....      ....

Freight charged (if any) Rs.....nP..

Total Rs...      ....      ....nP....      ....

Tax charged Rs....      ....nP....      ....

Date....      ....      ....      ....

Signature of the owner or Conductor.

FORM R.P.G.T. 1A.  
SEASON TICKET

See Rule 4 of the Rajasthan Passengers and Goods  
Taxation Rules, 1959)

Serial No....     ....     ....     ....     Book No.....  
Motor Vehicle No....     ....     ....  
From     ....     ....     To....     ....  
Period for which valid....     ....  
Fare charged Rs....     ....nP....  
Freight charged (if any) Rs.....nP..  
Total Rs....     ....nP....  
Tax charged Rs....     ....nP....  
Date...     ....     ....

Signature of owner or Conductor.

FORM R. P. G. T. 1 B

( See Rule 4 of the Rajasthan Passengers and Goods Taxation Rules, 1959 )

Book No....     ....     ....     ....     Serial No....     ....  
Motor Vehicle No....     ....     ....  
Name of the owner....     ....     ....  
Fare charged Rs..     ....     ....nP....  
Tax charged Rs...     ....     ....nP....

FORM R.P.G.T. 1A.  
SEASON TICKET

(See Rule 4 of the Rajasthan Passengers and Goods  
Taxation Rules, 1959.

Serial No....     ....     ....     ....     Book No.....  
Motor Vehicle No ..     ....     ....  
From....     ....     ....     To..     ....  
Period for which valid...     ....     ....  
Fare charged Rs....     ....     ....nP...  
Freight charged (if any) Rs...     ....nP...  
Total Rs....     ....     ....nP....  
Tax charged Rs...     ....     ....nP....  
Date..     ....     ....

Signature of owner or Conductor.

FORM R.P.G.T. 2.  
GOODS RECEIPT

Counterfoil

(See Rule 5 of the Rajasthan Passengers and Goods Taxation  
Rules, 1959)

No.....

Book No.....

(To be retained at the booking office)

1. Registration number of the Vehicle.....

2. (a) Full name and address of the consignor.....

(b) Full name and address of the consignee.....

3. (i) Place of despatch.....

(ii) Destination.....

4. Description of the goods consigned.....

5. Weight of the goods consigned.....

6. (i) Freight charged Rs.....

(ii) Tax Rs.....

Total Rs.....

Signature of Consignor

Signature of Owner

Date.....

Date.....

FORM R.P.G.T. 2.  
GOODS RECEIPT

Foil No. 1.

(See Rule 5 of the Rajasthan Passengers and Goods Taxation  
Rules, 1959)

No. ....

Book No.....

(To be handed over to the Driver)

1. Registration number of the Vehicle.....

2. (a) Full name and address of the consignor.....

(b) Full name and address of the consignee.....

3. (i) Place of despatch.....

(ii) Destination.....

4. Description of the goods consigned.....

5. Weight of the goods consigned.....

6. (i) Freight charged Rs.....

(ii) Tax Rs.....

Total Rs.....

Signature of Consignor

Signature of Owner

Date.....

Date.....

## FORM R.P.G.T. 2.

## GOODS RECEIPT

Foil No. 2

(See Rule 5 of the Rajasthan Passengers and Goods Taxation Rules, 1959)

No.....

Book No.....

(To be handed over to the Consignor)

1. Registration number of the Vehicle.....

2. (a) Full name and address of the consignor.....

(b) Full name and address of the consignee....

3. (i) Place of despatch.....

(ii) Destination.....

4. Description of the goods consigned....

5. Weight of the goods consigned ....

6. (i) Freight charged Rs.....

(ii) Tax Rs.....

Total Rs.....

Signature of Consignor

Signature of Owner

Date.....

Date.....

## FORM R.P.G.T. 3.

## PENALTY RECEIPT

(See Rule 9 (2) of the Rajasthan Passengers and Goods Taxation Rules, 1959)

No.....

Book No.....

Starting point of journey of the defaulter Place of detection of default

Received a sum of Rs.....(in figures).....(in words)

from Shri.....in cash, on account of

penalty under Rule 9 (2) of the Rajasthan Passengers and Goods

Taxation Rules, 1959. This receipt is valid for this journey only.

Date.....

(Signature)

(Designation of the Inspecting Officer)

Note—It shall be in duplicate.

## FORM R.P.G.T. 4.

## GOVERNMENT OF RAJASTHAN

## Passengers and Goods Tax Refund Order

Book No.....

Serial No.....

Valid upto..... only.

XIII—Other Taxes and Duties. D—Other Items, (b) Taxes on Passengers and Goods carried by road or inland waterways.

Refund—Passengers and Goods Tax.

Counterfoil for refund of Tax

Refund payable to.....

G.L.R. No..... Motor Vehicle No.....

Assessment Year .....

Date of order directing refund .....

Amount of refund.....

Number in Demand and Collection Register showing collection of amount regarding which refund is made.....

Amount credited to treasury vide Challan No.....

Dated.....

Initials of the Assessing Authority

Signature of Recipient of Voucher.

Paid on..... at.....

(date)

(place)

To be attested by the Assessing Authority after advice of payment is received from the Treasury.

Entered in Demand and Collection Register.

Refund Register vide item No ..... Dated.....

Assessing Authority.

## FORM R.P.G.T. 4.

## GOVERNMENT OF RAJASTHAN

## Passengers and Goods Tax Refund Order

Book No.....

Serial No.....

Valid up to..... only.

XIII—Other Taxes and Duties. D—Other Items, (b) Taxes on Passengers and Goods carried by road or inland waterways.

Refund—Passengers and Goods Tax.

Order for Refund of Tax.

Payable at.....

To

The Treasury Officer

Sub-Treasury Officer

1. Certified that with reference to the assessment record bearing G.I.R. No..... Motor Vehicle No..... a refund of Rs..... is due to.....

- Accountant .....

This is the first Advice List on.....Treasury/In continuation of Advice List No.....(Book No.....), dated.....195 .

## Particulars of Passengers &amp; Goods Tax Refund Order.

Book No.....

Voucher No.....

Dated.....195

Valid Up to.....

Refund payable to M/s.....

Amount of Refund Rs. ....nP.....

XIII—Other Taxes and Duties D-Other Items (b) Taxes on  
Passengers and Goods carried by road or inland water-  
ways, (Deduct Refunds)

Passengers &amp; Goods Tax, Rs.....

Total:— Rs.....

Assessment record bearing G.I.R. No.... Motor Vehicle No .....

Assessment year.....

(Signature)

Date.....

Assessing Authority Distt./Circle

Strike out that which is not applicable.

FORM R.P.G.T. 4A

## GOVERNMENT OF RAJASTHAN

## Advice of Refund of Passengers &amp; Goods Tax

Book No .....

Serial No.....

To,

The Treasury Officer/Sub-Treasury Officer... ..

This is the first Advice List on . . . Treasury/In continuation  
of Advice list No . . . (Book No . . .) dated .....195 .

Following are the particulars of Passengers and Goods Tax  
Refund:—

Order issued by me on .....

Book No.....Voucher No..... Dated.....

Valid up to.....Refund payable to M/s....

.....

Assessment Record bearing G.I.R. No.....Motor Vehicle No.....

Assessment year.....Amount of Refund ..

XIII—Other Taxes and Duties. D-Other Items (b) Taxes  
on Passengers & Goods carried by road or inland  
water-ways.

(Deduct refunds)

Passengers &amp; Goods Tax, Rs.....

Total :— Rs.....

Place.....To

Date.....

(Signature)

Assessing Authority District/Circle.

Strike out that which is not applicable.

FORM R.P.G.T. 5.

Inspection Note Book

(See Rule 18 of the Rajasthan Passengers & Goods Taxation  
Rules, 1959). (Title page)

1. Name of the owner....



2. Style of the business (if any) ... ..
3. Place of the business (if any) ... ..
4. Registration mark and number allotted to the vehicle under the Motor Vehicles Act, 1939.....
5. Route or routes or area for which permit covering vehicle obtained .. ..

**Note:**—The Note Book shall be returned by the owner to the Assessing Authority when it is completed and a fresh one is opened or when registration is cancelled. When a Note Book is surrendered by an owner, the Assessing Authority shall grant him a receipt to that effect.

(Heading of each page of Inspection Note Book)

- 1 Date of Inspection.
- 2 Name and designation of the Inspecting Officer.
- 3 Name of the driver or conductor or other employee of the owner on duty on the vehicle.
- 4 Details of inspection.

Signature of the driver or conductor or other employee of the owner on duty on the vehicle.

Signature of the  
Inspecting Officer.

### FORM R P G. T. 6

(See Rule 10 (1) of the Rajasthan Passengers and goods Taxation Rules, 1959)

Name of Owner.....Vehicle No. ....Permit No.....Route.....

Date	Course of Journey.	Serial No. of ticket/ receipt issued.		Total amount charged or chargeable in respect of the tickets/receipts mentioned in col.—3
		From	To	

1	2	3	4
---	---	---	---

Total amount of tax payable.

Signature of the owner

REMARKS

5

6

7

FORM R. P. G. T. 7  
 FORM OF RETURN  
 (See Rule 10 (3) of the Rajasthan Passengers and Goods Taxation Rules, 1959)

Month and Year to which the return relates..... District/Circle.....  
 Name of Owner..... Registration number of Vehicle.....  
 Permit No..... Route..... No. of trips per day admissible in the permit.....

Serial number (s) of ticket (s) receipt (s) issued	Total amount of fare/ freight charged or chargeable in respect of the ticket (s)/ receipt (s) mentioned in column number 2.	Total amount of tax payable	Particulars of tax deposited in Treasury.		Remarks.
			Name	Amount No.	Date.
1	2	3	4	5	6
From	To				

Declaration  
 Signature of the owner.

To the best of my knowledge and belief particulars furnished above are correct.  
 Note—Part IV of the challan to be enclosed with the return.

Government of Rajasthan  
Excise and Taxation Department  
Form R. P. G. T. 8

(See Rule 13 of the Rajasthan Passengers and Goods Taxation Rules, 1959)

Part I—(to be retained in the Treasury)  
Passengers and Goods Tax Challan

XIII—Other Taxes and Duties

D—Other Items

(b)—Taxes on Passengers and Goods carried by road or inland water-ways.

Invoice of tax etc. paid into Treasury/Sub-Treasury for...(period).

Name and address of owner on whose behalf money is paid	Payment on account of	Amount Rs.    nP.
	1. Taxes	... ..
	2. Fines and Penalties...	... ..
	3. Composition Money ..	... ..
	4. Fee for Revision ...	... ..
	5. Other Misc. Receipts....	... ..
	Total...	... ..
(In words) Rupees ...	.... ..	.... ..
....	....	....

Date	FOR USE IN TREASURY ONLY
Please receive and grant receipt.	1. Number of Challan ....
	2. Number of entry in Passengers and Goods Taxation Act Receipt Register....
	3. Date of entry in Passengers and Goods Taxation Receipt Register
	.... ..
	Treasury Account.
Depositor.	Treasury Stamp
	Treasury/Sub-Treasury Officer.

Government of Rajasthan  
Excise and Taxation Department  
Form R.P.G.T. 8.

(See Rule 13 of the Rajasthan Passengers and Goods Taxation Rules, 1959)

Part II—(To be returned to the Assessing Authority)  
Passengers and Goods Tax Challan  
XIII—Other Taxes and Duties  
D—Other Items

## (b)—Taxes on Passengers and Goods carried by road or inland water-ways.

Invoice of tax etc. paid into Treasury  
Sub-Treasury for... (period).

Motor Vehicle No.	Name and address of owner on whose behalf money is paid	Payment on account of	Amount Rs.    nP.
		1. Taxes.	...    ...
		2. Fines and Penalties.	...    ...
		3. Composition Money.	...    ...
		4. Fee for Revision	...    ...
		5. Other Misc. Receipts.	...    ...
		Total	
	(In words) Rupees	...    ...    ...    ...    ...	...    ...
	...    ...	...    ...    ...    ...    ...	...    ...

Date

FOR USE IN TREASURY ONLY

Please receive and grant receipt.

1. Number of Challan ...
2. Number of entry in  
Passengers and Goods  
Taxation Act Receipt  
Register...
3. Date of entry in Passen-  
gers and Goods Taxation  
Receipt Register ...  
Treasury Account

Depositor.

Treasury  
Stamp.

Treasury  
\_\_\_\_\_  
Officer  
Sub-Treasury

Government of Rajasthan  
Excise & Taxation Department  
Form R.P.G.T. 8.

(See Rule 13 of the Rajasthan  
Passengers and Goods Taxation  
Rules, 1959)

Part III—Receipt (to be given to the  
depositor for retention  
by him)

Government of Rajasthan  
Excise and Taxation Department  
Form R.P.G.T. 8.

(See Rule 13 of the Rajasthan  
Passengers and Goods Taxation  
Rules, 1959)

Part IV—Receipt (to be given to  
the depositor for trans-  
mission to the Assessing  
Authority.)

Passengers And Goods  
Tax Challan

XIII-Other Taxes and Duties.

D-Other Items.

(b)-Taxes on Passenger and  
Goods Carried by road or  
inland water-ways.

Treasury ... ..  
Sub-treasury

Received the sum of Rs. (in words)

... ..  
on account of the following:—

Rs. nP.

1. Taxes ... ..

2. Fines & Penalties ... ..

3. Composition Money ... ..

4. Fee for Revision ... ..

5. Other Misc. Receipts ... ..

Total:— ... ..

for the period... ..

due from... ..

... ..

Motor Vehicle No... ..

Challan No... ..

Date... .. 195

Treasury  
Accountant

(Seal)

Treasury  
Officer

Sub-treasury

Agent Bank of... .. Ltd,

Passengers and Goods  
Tax Challan

XIII-Other Taxes and Duties.

D-Other items.

(b)-Taxes on Passengers and  
Goods Carried by road or  
inland water-ways.

Treasury... ..  
Sub-Treasury

Received the sum of Rs. (in  
words) ... ..

on account of the following:—

Rs. nP.

1. Taxes ... ..

2. Fines & Penalties ... ..

3. Composition Money... ..

4. Fee for Revision ... ..

5. Other Misc. Receipts.....

Total:— .....

for the period... ..

due from... ..

Motor Vehicle No... ..

Challan No. ... ..

Dated... .. 195

Treasury  
Accountant

(Seal)

Treasury  
Officer

Sub-treasur

Agent Bank of ... .. Ltd.

Form R.P.G.T. 9

Notice of Appearance under Sections 6 (2), 6 (4) and 8 of the Rajasthan  
Passengers and Goods Taxation Act, 1959.

(See Rule 19 of the Rajasthan Passengers and Goods Taxation  
Rules, 1959)

Office of the Assessing Authority,

... District/Circle.

No.... .. Dated.... ..

To,

Whereas.... ..

## Rajasthan Passengers and Goods Taxation Rules, 1959

(a) You, an owner of a registered Motor Vehicle No.... have not furnished the return or/and paid the tax for the month of ....19 .

(b) I am not satisfied that the return filed by you or/and the tax paid by you for the month (s)....19 , has been correctly filed or/and paid.

(c) I am satisfied that you have been liable to tax but wilfully failed to pay the same and it appears to me to be necessary to make an assesment under sections 6 (2), 6 (4) and 8 of the Rajasthan Passengers and Goods Taxation Act, 1959.

You are hereby directed to attend in person or by an agent at (Place)....at (time)....and thereto produce or cause there to be produced at the said time and place the documents specified below for the purposes of such assessment and to show cause on that date and that time why in addition to the tax to be assessed on you, a penalty not exceeding  $1\frac{1}{2}$  times of the amount of tax should not be imposed upon you under section 8 of the Act.

2. In the event of your failure to comply with this notice, I shall proceed to assess the amount of tax due and impose the penalty as mentioned above, to the best of my judgment and without my further reference to you.

(Seal)

Dated

Signature of Assessing Authority,

.....District/Circle

Form R.P.G.T. 10

(See Rule 20 of the Rajasthan Passengers and Goods Taxation Rules, 1959)

### NOTICE OF DEMAND

Office of the Assessing Authority  
.....District/Circle.

No.

To

Dated

You are hereby informed that the amount of tax or/and penalty payable by you has been assessed as under :—

A. Tax assessed ....

Rs. \_\_\_\_\_

B. Penalty imposed ....

Rs. \_\_\_\_\_

Total of A & B. ....

Rs. \_\_\_\_\_

Less amount paid already

Rs. \_\_\_\_\_

Net amount due ....

Rs. \_\_\_\_\_

You are hereby directed to pay the sum of Rs.... ....  
 (in figures) .... ..rupees.... .... (in words) into  
 Treasury/Sub-treasury at (place) ... ..on or before (date)  
 and furnish the receipt in proof of payment to this office on or  
 before (date).... ..failing which the said sum will be recovered  
 from you as arrears of land revenue.

(Seal)

Signature \_\_\_\_\_

Assessing Authority  
.... District/Circle.

Dated \_\_\_\_\_

Form R.P.G.T. 11.

(See Rule 21 of the Rajasthan Passengers and Goods Taxation  
 Rules, 1959)

## NOTICE OF REASSESSMENT

Office of the Assessing Authority,

\_\_\_\_\_ District/Circle

No. \_\_\_\_\_

Dated \_\_\_\_\_

To,

Whereas, in consequence of definite information in my possession I have reasons to believe that the amount of tax assessed under the Rajasthan Passengers and Goods Taxation Rules, 1959, for the year/period ending the .....195 has been under assessed/escaped assessment.

I, therefore, propose to reassess the said tax that has been under assessed/escaped assessment.

I, hereby require you to show cause by the (date).... .... why the contemplated action should not be taken in your case and to produce or cause to be produced on the said date, at (time).... .... at.... .... (place), the relevant accounts and documents for my inspection.

Date... ...195 .

(Seal of the Assessing Authority)

Signature.... ...

Assessing Authority.

\_\_\_\_\_ District/Circle.

By Order of the Governor,  
 G. S. PUROHIT,  
 Secretary to the Government.

# **RAJASTHAN PASSENGERS & GOODS TAXATION RULES, 1959**

Jaipur, December 7, 1962

*No. F. 15 (4) E&T/59*.—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government, hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely :—

## **AMENDMENTS**

In the said rules :—

(1) after the existing proviso to sub-rule (i) of rule 8 \, the following new proviso shall be added, namely :—

["Provided further that an owner to whom this rule applies may opt in writing to the assessing authority to deposit the quarterly instalments in advance, and deposit the instalments at least ten days before the commencement of each quarter."] ]

(2) to rule 11—

the following proviso shall be added, namely:—

["Provided that an owner who has exercised the option under the second proviso to sub-rule (1) of rule 8A, shall be exempted from depositing the security as long as he continues to deposit the instalments in advance".]

[Pub. in Raj. Gaz. 4 (Ga)—Dt. Jan. 3, 63 Page 735]

Jaipur, January 24, 1963.

*No. F. 15 (2) E&T/59 (A)*.—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely :—

## **AMENDMENT**

In the second proviso to sub-rule (1) to rule 8 for the words 'motor cycle rikshaw' the words 'Motor Cycle Rikshaw including a Scooter or any other three wheeled Motor vehicle' shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. Jan. 24, 63—Page 388]



*Notification No. F. 16 (6) E & T/60 Dated 15-2-6* - In exercise of the powers conferred by section 21 of the Rajasthan Passengers and goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following amendment in the Rajasthan Passengers and goods Taxation Rules, 1959, namely:—

### AMENDMENT

At the end of rule 10 of the said rules, the following proviso shall be added, namely—

“Provided that in suitable cases, the State Government may, by notification in the official Gazette, extend the time limits specified in sub-rules (2) and (3) above.”

[Raj. Gaz. F. Re. Sec. Dt. 4-4-63 Part (Ga) Page 25]

*Notification No. F. 15 (2)/E & T/63.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the Government of Rajasthan hereby makes the following rules, namely :—

1. After rule 14, the following new rule shall be inserted, namely :—14A. Issue of Clearance Certificate.—Every quarter, in the months of June, September, December and March, the assessing authority concerned, shall issue to every owner of a motor vehicle, liable to pay tax under the Act, who has paid his dues to end of the previous month a Clearance Certificate in form R.P.G.T. 12.

2. After rule 30, the following new rule shall be added, namely:—

31. *Procedure for attachment and sale of movable property under sub-section (2) of section 11.*—An assessing authority after he has been given a permission in writing by the Commissioner under sub-section (2) of section 11, shall recover the tax by attachment and sale of an assessee's movable property, in the manner, applicable to the recovery of arrears of land revenue, due from a defaulter, under section 230 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956) read with the Rajasthan Land Revenue (Payments, Credits, Refunds and Recovery) Rules, 1958 made thereunder and the provisions of rules 29 to 35 and 36 to 45 of the aforesaid rules shall, in so far as may be, mutatis mutandis apply :

Provided that for the words “Collector or Sub-Divisional Officer” wherever occurring in these rules and the forms thereunder, the words “assessing authority” and for the words “Quark Amin” the word “Inspector Excise & Taxation” shall be substituted.

3. After the existing form R.P.G.T. 11, the following new form R.P.G.T. 12, shall be appended.

FORM R. P. G. T. 12.

Clearance Certificate.

[See rule 14 A]

Valid Up To.....

Book No..... Serial No.....

Certified that Shri .....  
owner of Motor vehicle No..... has paid his dues/under  
the Rajasthan Passenger and Goods Taxation Act, 1959 up to  
and for the month of ..... \*and has also paid instal-  
ment dues up to and for the said month against arrears.

(Signature)

SEAL

Assessing Authority.

Dated .....

\*Strike out if not applicable.

[Raj. Gaz., Dt. 30-4-1963, Part IV (Ga), Page 129].

*Notification No. F. 15 (31) FD (RT) 63.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following amendments in the Rajasthan Goods and Passangers Taxation Rules, 1959 namely :—

AMENDMENTS

In the said rules :—

1. after rule 6, the following new rule shall be added, namely :—

“6A Every owner of a vehicle liable to issue tickets under rule 4, shall keep an account of the tickets for every series of book separately in the stock register, in Form R.P.G.T. 13 and shall use them in the serial order”.

2. in rule 8A,—

(a) for the words ‘quarter’ or ‘quarterly’ wherever occurring, the words ‘month’ or ‘monthly’ shall be substituted respectively ;

(b) in sub-rule (1) for the words ‘31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December every year’ the words ‘close of the month’ shall be substituted.

3. for the existing sub-rule (1) of rule 10, the following new sub-rule shall be substituted, namely :—

**'10. Payment of tax under rule 8.—**(1) Every owner shall maintain separate accounts of the passenger tickets and goods receipt issued in accordance with rules 4 and 5 respectively in Form R.P.G.T. 6 showing the amount of fare or freight, as the case may be, and the tax charged, if any (except when a passenger's ticket also shows the freight charged by an owner and no separate goods receipt is issued for the purpose).

The owner shall get the register in Form R.P.G.T. 6 duly authenticated by the concerned assessing authority before putting it in use"

4. In form R.P.G.T. 6.

(a) under column No. 3 the words 'from, to' shall be omitted ;

(b) under column No 4, for the words "total amount" the words "are/freight" and for the words "tickets/receipts" the words ticket/receipt" shall be substituted.

5. after the existing form R.P.G.T. 12, the following new Form R.P.G.T. 13 shall be added, namely:—

FORM R.P.G.T. 13  
Stock Register of Tickets  
See Rule 6A)

Name of owner ... ..  
Place of business .....  
Book No.... ..

Date	Opening balance		Tickets printed			Ticket issued			
	No of tickets	Last serial No.	No. of tickets	Serial number from to		No. of tickets	Serial Nos. from to		
	1	2	3	4	5	6	7	8	9
Motor vehicle number				Closing balance			Signature of person issuing tickets.		
				No. of Serial No tickets					
				from to					
	10			11	12	13			14

(Raj. Gaz. Part IV (Ga) Dt. 19-12-1963)

**Notification No. F. 15 (13, E & T/62—**In exercise of the powers conferred by section 21 read with sub-section (2) of section 12 of the Rajasthan Passengers and Goods Taxation Act, 1959, ( Rajasthan Act 18 of 1959), the State Government hereby

makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely :—

### AMENDMENT

After the existing rule 28 of the said rules, the following new rule shall be inserted namely :—

“28A. The Assistant Sales Tax Officers ( Prevention ) shall wear three stars made of white metal ( 1” diameter and 3 1/2” circumference ) in contrast to three brass stars worn by a Patrolling Superintendent or a Patrolling Officer.

(Finance (Revenue and Economic Affairs Department-Notification dated 7-2-64—published in Rajasthan Gazett.Part 4 (Ga)— dated 20-2-64 Page 671 (20).]

*Notification No. F. 15 (31)/FD/RT/63*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 ( Rajasthan Act 18 of 1959), the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely:

### AMENDMENT

In the said rules,—

(1) in Rule 10, in sub-rule (1),—

(a) after the expression “ in accordance with Rules 4 and 5 respectively;” the words “in respect of each vehicle” shall be inserted ; and

(b) at the end of the first para, the sentence “The current register in Form R P G.T. shall be kept and maintained with the vehicle concerned,” shall be added ;

(2) after Rule 10, the following new rule shall be inserted namely:—

10-A. Provisional assessment on failure to submit returns.

(1) If any owner liable to pay tax fails to submit a return under sub-rule (3) of Rule 10, for any month, within the time prescribed therefor, the assessing authority shall, after notice to the owner and after making such enquiry as it deems fit, assess the amount of tax payable by the owner for the period for which the return is to be made to the best of its judgment and the amount of tax so assessed shall be payable by the owner forthwith.

(2) Every assessment made under sub-rule (1) shall be deemed to be provisional subject to necessary adjustment in pursuance of the final assessment of tax made for any year under Rule 19.”

(.) Rule 20 shall be renumbered as sub-rule (1) thereof, and after Sub-rule (1) as so re-numbered, the following new sub-rule shall be added, namely :—

(2) An assessing authority may on the application in writing of the owner, order that the payment of any sum specified in the notice issued under sub-rule [1] shall be postponed or made by instalments on such terms as to payment of interest and taking of security as it think fit :

Provided that payment shall not be postponed, by instalments or otherwise, under this sub-rule, beyond the financial year in which the application for the purpose is made or a period of six months from the date of service of notice under sub-rule (1), whichever is later :

Provided further that in default to pay any instalment, the whole of the amount remaining unpaid shall become immediately payable” and

(4) In Rule 29, after the words “An assessing authority” the expression, “or any officer of the Commercial Taxes Department not below the rank of an Inspector, specially authorised in this behalf by the Commissioner”, shall be inserted.

[Pub. in Raj. Gaz 4 (Ga)-Dt. 7-11-64]

Finance (Rev & Eco. Affairs) Department  
(Revenue Section)

Jaipur, December 16, 1964

*Notifications No. F.15. [60] FD/RT/64.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959, (Rajasthan Act 18 of 1959), the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely :—

### AMENDMENTS

In the said rules, for the existing rule 27, the following rules shall be substituted, namely :—

“27. *Distribution of Business amongst assessing authorities*—Where there are more than one assessing authority in a district or circle, they shall have concurrent jurisdiction subject to any orders which the Commissioner may make for the distribution and allocation of the work to be performed.

*Explanation.*—For the purposes of this rule and rule 27A, “circle” means the area within the jurisdiction of the Commercial Taxes Officer as fixed in pursuance of sub-rule (1) of rule 3 of the Rajasthan Sales Tax Rules, 1955.

*27A. Power of the Commissioner and Commercial Taxes Officer to transfer cases.*—(1) The Commissioner may transfer any case or class of cases pending before any assessing authority to any other assessing authority either on his own motion or on the application of an owner who is a party to such case; but no such order shall be made except for reasons to be recorded in writing.

(2) Within his circle, the Commercial Taxes Officer may transfer any case from one Assistant Commercial Taxes Officer to another or may transfer any case pending before himself to any Assistant Commercial Taxes Officer or transfer any case from any Assistant Commercial Taxes Officer to himself for disposal.'

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 16-12-64 Page 538 ]

Finance (Rev. & Eco. Affairs) Department  
(Commercial Taxes section)  
Jaipur, January 18, 1965

*Notification No. F. 15 (3I) FD/RT/63.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), read with sections 12 and 13 thereof, the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely:—

### AMENDMENTS

In the said rules:—

(1) in rule 2:—

(a) for clauses (c) and (d), the following clauses shall be substituted, namely:—

(c) "assessing authority" in relation to any owner; means the Commercial Taxes Officer or the Assistant Commercial Taxes Officer within whose jurisdiction the owner's place of business is situate;

(d) "Commercial Taxes Officer" or "Assistant Commercial Taxes Officer" means the person holding office with that designation under the State Government and appointed under section 7 of the Act to assist the Commissioner;

(d) in clause (1) for sub-clause (ii), the following sub-clause shall be substituted, namely:—

"(ii) an officer of the Commercial Taxes Department not below the rank of Inspector or a patrolling officer of

the preventive Force of the Excise Department for the purposes of section 12 and 13 of the Act”

(2) in rule 8A, in sub-rule (1) and clause (e) of the proviso there to for the expression ‘Excise and Taxation Department’, wherever occurring, the expression “Commercial Taxes Department” shall be substituted;

(3) in rule 10A, after the expression “to submit a return under sub-rule (3) of rule 10, of any month, within the time prescribed therefor, the expression “or if the return submitted by him appears or the assessing authority to be incorrect or incomplete,” shall be inserted,

(4) in rule 28A for the expression, “Assistant Commercial Taxes Officers (Prevantion)” the expression “Assistant Commercial Taxes Officers (preventive force)” shall be substituted;

(5) in the proviso to rule 31, for the expression “Inspector Excise and Taxation”, the expression “Inspector of the Commercial Taxes Department” shall be substituted, and

(6) in Form R. P. G. T. 8 for the expression “Excise and Taxation Department” wherever occurring, the expression “Commercial Taxes Department” shall be substituted.

[ Pub.in Raj. Gaz. Ex. 4 (Ga) Dt.-18-1-65—Page 667 ]

Finance (Revenue and Economic Affairs)  
Department (Revenue Section)

Jaipur, April 17, 1965.

*Notification No. F. 16 (10) FD/CT/65.*—In exercise of the Powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1951 (Rajasthan Act of 18 of 1959), the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, with immediate effect, namely:—

#### AMENDMENTS

In the said Rules, in Rule 20,—

(a) the first proviso to sub-rule (2) shall be deleted; and

(b) in the second proviso to the said sub-rule, the word “further” shall be deleted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 17-4-65 Page 26]

Finance (Rev & Eco Affairs) Department  
(Commercial Taxes Section)

Jaipur, May 25, 1965.

*Notification No. F. 16 (30) FD/CT/65.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers

and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), read with section 14A thereof, the State Government hereby makes the following amendments in the Rajasthan Passengers and Goods Taxation Rules, 1959, namely:—

### AMENDMENTS

1. (1) These rules may be called the Rajasthan Passengers and Goods Taxation (Amendment) Rules, 1965.

(2) They shall come into force at once.

2. In the Rajasthan Passengers and Goods Taxation Rules, 1959, hereinafter referred to as the said Rules, after rule 25, the following new rule shall be inserted, namely:—

“25A. *Furnishing of security under section 14A.*—Every owner required, in accordance with the proviso to section 14A, to furnish a security, shall furnish a bond executed by himself in Form R.P.G.T. 15, with two sureties acceptable to the Commissioner for such sum as the latter may determine within his discretion. Each of the sureties shall execute a bond in form R.P.G.T. 15, in the alternative the owner may deposit Savings Certificates, issued by the Government of India of a face value not less than the sum determined as aforesaid, duly endorsed in favour of the Commissioner, or a cash security or bank guarantee for the said amount.”

3. In the said Rules, after Form R.P.G.T. 14, the following new form shall be added, namely:—

#### ‘ FORM R.P.G.T. 15.

(See rule 25A)

#### SECURITY BOND

Know all men by these presents that I, A.B., of.... .. am held and firmly bound unto the Governor of the State of Rajasthan (hereinafter referred to as “The Government”, which expression shall, unless excluded by or repugnant to the context, include his successors in office and assigns) in the sum of Rupees.... ..to be paid to the Government for which payment, well and truly to be made, I bind myself, my heirs, executors, administrators and legal representatives by the presents :

Whereas the above bounden A.B. has made an application to the Commissioner, Commercial Taxes, Rajasthan, under the proviso to section 14A of Rajasthan Passengers and Goods Taxation Act, 1959 (hereinafter referred to as “the said Act”);

And whereas the said A.B. has in pursuance of the said proviso to section 14A of the said Act been called upon to exe-



cute a bond with two sureties in favour of the Government in the above mentioned sum of Rs.... ....for the due discharge by the said A.B. of the liabilities under the said Act in the manner specified hereunder and for the purpose of security and indemnifying the Government against all loss, costs or expenses which the Government may in any way, suffer, sustain or pay, by reason of the default or failure, in due discharge of liabilities under the said Act as aforesaid, of the said A.B. or of any person or persons acting under him or for whom he may be responsible;

(Here specify the manner in which liabilities under the Act have been directed to be discharged).

Now the condition of the above written bond is such that if the said A.B., his heirs; executors or administrators shall pay or cause to be paid unto the Government the amounts due from him under the provisions of the said Act within the time and in the manner directed by the Commissioner as aforesaid, and shall also at all times indemnify and save harmless the Government from all and every loss, costs or expenses which has been or shall or may at any time or times hereinafter during the period in which the said A.B. is held liable to pay tax under the said Act as aforesaid, by reason of any act or insolvency of the said A.B. or of any person or persons acting under him or for whom he may be responsible, then this obligation shall be void and of no effect, otherwise the same shall be and remain in full force.

And it is hereby further agreed that in the event of the death of the said A.B. or on the final cessation of the liability of the said A.B. under the said Act or otherwise this bond shall remain with the Commissioner. Commercial Taxes, Rajasthan or an officer duly authorised by him in this behalf for... months to recover any loss, costs or expenses that may have been sustained, incurred or paid by the Government owing to the act or default of the said A.B. or any such other person or persons as aforesaid and which may not have been discovered; until after his death or the cessation of the liability of the said A.B. under the said Act :

Provided always that without prejudice to any other rights or remedies for recovering the loss or damage as aforesaid it shall be open to the Government to recover the amount payable under this bond as an arrear of land revenue.

In witness whereof the said A.B. has here unto set his hand this.....day of... ..19.....

Signed and delivered by the above named A.B. in the presence of—

1.....

2..... (Signature).....

We .....hereby declare ourselves sureties for the above said A.B.....and guarantee that he shall do and perform all that he has above undertaken to do and perform, in case of his making default therein, we hereby bind ourselves jointly and severally to forfeit to the Governor of the State of Rajasthan, (hereinafter referred to as "the Government") the sum of Rs ..... in which the above said A.B. has bound himself, or such other lesser sum as shall be deemed to be sufficient by the Commissioner, Commercial Taxes, Rajasthan, or an officer duly authorised by him in this behalf, to cover any loss or damage which the Governor may sustain by reason of such default.

And we agree that the Government may, without prejudice to any other rights or remedies of the Government, recover the said sum as an arrear of land revenue.

And we also agree that neither of us shall be at liberty to terminate this suretyship, except upon giving to the said Commissioner, Commercial Taxes, Rajasthan, six calendar months' notice in writing of his intention so to do, and our joint and several liabilities under this bond shall continue in respect of acts, defaults and insolvencies on the part of the said A.B. until expiration of the said period of six months.

Dated, this.... day of ... 19 ..

Signature of sureties in presence of—

1.....

2..... Signature.....

In the presence of—

1.....

2.....(Signature).....

[Pub. in Raj. Gaz. Ex, 4 (Ga) Dt. 25-5-65-Page 124]

Finance (Rev. & Eco. Affairs) Department  
(Commercial Taxes Section)

Jaipur, August 11, 1965

*Notification No. F. 15 (31) FD/RT/63.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following amendment to the Rajasthan Passengers and Goods Taxation Rules, 1959, namely:—

## AMENDMENT

After sub-clause (ii) of clause (1) of rule 2 of the said rules, the following new sub-clause (iii) shall be added, namely:—

“(iii) An Officer of the Commercial Taxes Department not below the rank of Assistant Commercial Taxes Officer for the purpose of sub-section (2) of section 16 of the Act”.

[ Pub. in Rajasthan Gāz. Ex. 4 (Ga) Dt. 10-8-65 Page 250 ]

Finance Department  
(Commercial Taxes Section)

Jaipur, July 29, 1967

*Notification No. F. 16 (I) FD (CT) 66.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following rules, further to amend the Rajasthan Passengers and Goods Taxation Rules, 1959, namely:—

1. (1) These rules may be called the Rajasthan Passengers and Goods Taxation (Amendment) Rules, 1967.

(2) They shall come into force w.e.f. 1st October, 1967.

2. In rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959, hereinafter referred to as the said rules,—

(a) for sub-rule (i), the following sub-rule shall be substituted, namely:—

“(i) The tax chargeable under the Act on fares or freights shall be paid by affixing to the ticket or goods receipt issued thereunder in the manner provided in these rules or notified by the State Government, a stamp or stamps of the appropriate value issued by the State Government for the purposes of the Act:

Provided that when a stage carriage is used as a contract carriage, such tax shall be deposited by the owner with the Treasury within seven days of the close of the month during which the tax is charged:

Provided further that if the stamps are not available and the owner obtains a certificate to that effect from the Treasury Officer or subject to the provisions of sub rule (iii), the Commissioner or any officer authorised by him in this behalf permits any owner to do so such tax may be paid in the manner laid down in Chapter III of these rules:

Provided also that the tax payable under the Act on fare by the owner of a Motor Cycle, Rickshaw including a Scooter or any other three wheeled Motor Vehicle or a Motor cab shall be paid to the State Government in lump sum, of which the

amount shall be fixed by the State Govt. from time to time by Notification in this behalf”.

(b) after sub-rule (ii), the following new sub-rule shall be added, namely:—

“(iii) (a) The owner seeking permission to pay tax in the manner laid down in Chapter III of these rules shall apply in Form R.P.G.T. 16.

(b) Such permission shall not be granted to any owner if he is liable to pay tax in respect of fewer than five motor-vehicles and if arrears of tax and penalty are outstanding against him under the Act and these rules:

Provided that such permission may be granted in case of those who are in arrears, if instalments for payment have been/are sanctioned by competent authority and the owner is not in arrears in regard to such instalments and in respect of current tax due.

(c) Such permission may be withdrawn if the owner fails to maintain any register, or submit any return under rule 10 or any such return is not accompanied by a treasury receipt evidencing payment of the full amount of the tax payable according to the return or if the owner evades payment of tax under the Act or adopts any practice resulting in such evasion or fails to pay any tax due from him.”

3. After rule 8A of the said rules, the following new rules shall be added, namely:—

“8B *Purchase of stamp*:—The stamps shall be purchased only from the treasury.

8C. *Affixing and defacing of stamps*.—(1) The stamps shall be affixed across the line of perforation in one direction only, so that the denomination of every one of them is easily legible, that is, they do not overlap one another. It shall be further ensured that the stamp is not affixed in an inverted position. The stamps on the goods receipt shall be affixed across the first line of perforation between the counterfoil to be retained at the booking office and foil No. 1 to be handed over to the driver.

(2) Where the amount of tax can be denoted by a single stamp, such tax shall be denoted by a single stamp of the required value. If the amount cannot be denoted by a single stamp or if the single stamp of the required value is not available, stamp of next lower value available may be used and the deficiency shall be made by the use of one or more additional stamps to make up the required amount of the tax.

(3) The stamp on the ticket shall be defaced by tearing the ticket into two portions across the perforation in such ma-

anner that each portion shall show the value of the stamp. The foil portion of the ticket shall be given to the passenger who shall retain it till the termination of the journey.

(4) The stamp on the receipt shall be defaced by tearing foil No. 1 of the receipt from the fixed counterfoil across the first line of perforation in such a manner that each portion shall show the value of the stamp affixed. The driver shall keep the first foil of the receipt with him”.

4. For rule 11 of the said rules, the following rule shall be substituted, namely:—

“11. *Security deposit by owners.*—(1) Every owner of a motor vehicle liable to pay the tax under the Act shall deposit with the assessing authority by way of security for payment of tax due under the Act—

- (a) in the case of owner permitted to pay tax on return basis in accordance with the provisions of this chapter such amount as may be equal to ten per cent of the estimated yearly tax payable by him in respect of each vehicle, such yearly tax shall be estimated by the assessing authority and its estimates shall be final.
- (b) in other cases, such amount not exceeding one thousand rupees as that authority may in each case determine.

(2) These security money shall be deposited in cases referred to in clause (a) of sub rule (1) within such time as the authority empowered to grant the permission may direct, and in any other case, within thirty days of the commencement of Rajasthan Passengers and Goods Taxation (Amendment) Rules, 1967 or within fifty days of commencement of liability, whichever may be earlier.

(3) Where an owner has already deposited security before the commencement of the Rajasthan Passengers and Goods Taxation (Amendment) Rules, 1967, in accordance with this rule as it existed before such amendment, he may after adjusting the amount as already deposited, deposit the balance of the amount as required by sub-rule (1).

(4) Such security shall also be adjustable towards the dues outstanding against the owner”.

5. After rule 15 of the said rules, the following new rule shall be added, namely:—

“15A. *Procedure for refund of value of unused stamp or renewal of damaged or spoiled stamps*—(1) The owner may, at any time, make an application in writing for the refund of the value of any unused stamps in his possession to the Commercial Taxes Officer, if the value does not exceed Rs. 250/- and to the Deputy

Commissioner, Commercial Taxes [Administration], in other cases, who shall direct the Treasury Officer to make a refund upon the return of such stamps.

[2] When any stamps purchased for use under the Act have been damaged or spoiled, the purchaser may apply in writing to the Commercial Taxes Officer, if the value does not exceed Rs. 250/- and to the Deputy Commissioner, Commercial Taxes [Administration], in other cases, who, on being satisfied that they have not been wilfully damaged or spoiled, may direct the Treasury Officer to give in lieu thereof—

[a] other stamps of the same denomination and value, or

[b] stamps of any other denomination of the same value.

6. After rule 18 of the said rules, the following new rule shall be added, namely:—

“18A. *Account of stamps.*—Every owner shall maintain a daily account of the stamps in form R.P.G.T. 17 and shall furnish to the assessing authority a monthly return of such account in R.P.G.T. 18 within ten days of the close of the month to which such return relates, and such return shall be signed by the owner or any person duly authorised by him in this behalf”.

7. After the existing form R.P.G.T. 15, the following new forms shall be added, namely:—

#### FORM R.P.G.T. 16

(See rule 8 of the Rajasthan Passengers & Goods Taxation Rules, 1959)

Application for permission for payment of tax in accordance with Chapter III of the Rajasthan Passengers & Goods Taxation Rules, 1959.

To

The Commissioner,  
Commercial Taxes, Rajasthan, Jaipur.

Sir,

I request you to permit me to pay tax in accordance with Chapter III of the Rajasthan Passengers & Goods Taxation Rules, 1959.

I have to state as under:—

(1) That I am the owner of the Motor Vehicles, particulars of which are given below:—

(a) Registration number of the vehicles .....

(b) Route on which they ply .....

(c) Assessing authority.....

(2) That there are no arrears of tax or penalty under the

Rajasthan Passengers and Goods Taxation Act, 1959, outstanding against me. (No dues certificate from the assessing authority is enclosed).

(3) That I undertake to pay the cash security under rule 11 of the aforesaid Rules.

Date  
Place

Yours faithfully,  
Signature of applicant  
Name in block letters,  
full address.

R P G.T. 17

(See rule 18A of the Rajasthan Passengers and Goods  
Taxation Rules, 1959)  
Account of stamps.

1. Name of the owner.
2. Registration No. of Vehicle. Denomination of  
Stamps.\*

Date	Opening stock	Purchases	Total	No. of stamps used	Closing stock	Signature of the owner	Re- mar- ks
1	2	3	4	5	6	7	8

\*A separate account shall be kept for each denomination,  
R P.G.T. 18

(See rule 18A of the Rajasthan Passengers and Goods  
Taxation Rules, 1959)

Monthly return of account of stamps.

Name of owner,  
Registration No. of Vehicles.

Year

Month

Deno- mina- tion of Stamps	Ope- ning Stock	Total No. of stamps purchased during the month	Total of Columns 2&3	Total No. of Stamps used du- ring the month	Closing balance	Value of Sta- mps used
1	2	3	4	5	6	7

Journey as Contract Carriage

Remarks

No. of Journeys	Date	Amount of tax Payable	Date of deposit in Treasury
		8	

9

Signature of owner.  
Dated

Finance Department  
(Commercial Taxes Section)

Jaipur, September 27, 1967

*Notification No F. 16 (1) FD CT/66-I.*—In exercise of the powers conferred by section 21 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes with immediate effect the following amendment in the Rajasthan Passengers & Goods Taxation Rules, 1959, namely:—

AMENDMENT

In the existing last proviso to sub-rule (i) of rule 8 of the said rules, for the word “also” occurring between the word “Provided” and the words “that the tax payable”, the word “further” shall be substituted, and after the said proviso, as so amended the following further proviso shall be added, namely:—

“Provided also, that if the State Government is of the opinion that owing to the non-availability of adequate stocks of stamps or other sufficient reasons it is expedient in public interest to do so, it may be a notification in the Official Gazette direct that the tax chargeable under the Act on fares and freights shall continue to be paid in the manner laid down in Chapter III of these rules, for a period not exceeding three months at a time.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 27-9-67 Page 537]



## Notifications under

### THE RAJASTHAN PASSENGERS & GOODS TAXATION RULES, 1959.

Published in Raj. Raj-patra part IV (c) dated April 30, 1959 at page 101-102

Excise and Taxation Department

### NOTIFICATION

Jaipur, April 30, 1959.

No. F. 15 (5) E & T/59-III.—In pursuance of rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959 the Government of Rajasthan hereby directs that the tax chargeable on fare or freight in respect of the following class of Motor Vehicles, shall be paid in lump-sum of which the amount is mentioned opposite each such class:—

1. Motor Cycle Rikshaws Rs. 60/- per annum.
2. Motor cabs Rs. 120/- per annum
3. Public carriers (Goods Vehicles):—
  - (a) Holding a general permit under the Motor Vehicles Act, 1939 to use all roads in Rajasthan:—
    - (i) Load carrying capacity below 5 tons. Rs. 420/- per annum.
    - (ii) Load carrying capacity 5 tons and above. Rs. 540/- per annum.
  - (b) Holding a permit under the Motor Vehicles Act, 1939 for plying within the limits of any region or on fixed routes in any one region:—
    - (i) Load carrying capacity below 5 Tons. Rs. 360/- per annum.
    - (ii) Load carrying capacity 5 Tons and above. Rs. 480/- per annum.
4. Motor Rikshaw, Motor Cabs and Public Carriers (Goods Vehicles) plying on hire on temporary permits under the Motor Vehicles Act, 1939:—
  - (a) Motor Cabs Re. 1/- for each calendar day beginning and ending at midnight or part thereof.
  - (b) public Carriers (Goods Vehicles):—

- (i) Load carrying capacity Rs. 2/- „  
below 5 Tons.
- (ii) Load carrying capacity Rs. 4/- „  
5 Tons and above.

This shall have effect on and from the 1st May, 1959.

Office of the Commissioner,  
Excise and Taxation Department

### NOTIFICATIONS

Jaipur, April 30, 1959.

*No. F. 4 (1) Ad. ST/P & G/59/1.*—In exercise of the powers conferred under Rule 7 of the Rajasthan Passengers and Goods Taxation Rules, 1959, it is hereby notified that the tickets and goods receipts, if any, in stock, with the owners of the Motor Vehicles may be used by them up to the 30th June, 1959, subject to the conditions laid down in the said rules.

This shall take effect on and from 1st May 1959.

Jaipur, April 30, 1959.

*No. F. 4 (1) Ad ST/P & G/59/2.*—In exercise of the powers conferred by the first proviso to rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959 the Government of Rajasthan hereby directs that until further orders the payment of tax on fares and freights in respect of passengers carried and luggage transported by stage carriage, under the Act, shall be made in the manner laid down in chapter III of the above said rules.

This shall take effect on and from 1st May, 1959.

GULZARI LAL,  
Commissioner.

*Published in Raj. Rajpatra part IV (c) dated July 14, 1960 at page 122*

Excise and Taxation Department

### NOTIFICATION

Jaipur, February 19, 1960.

*No. F. 9 (60) R.P.G.T.*—In exercise of the powers conferred by rule 30 of the Rajasthan Passengers and Goods Taxation rules, 1959, it is considered expedient to order that all the motor vehicle owners plying vehicles in the State shall in the interest of the passengers exhibit the following instructions at the exit, entrance, and some central place within the vehicle two months of this order:—

- (१) यात्रीगण यात्रा या माल के सम्बन्ध में टिकट लेकर बैठेंगे अन्यथा राजस्थान यात्री कर अधिनियम अनुसार दुगना किराया वसूल होगा।
- (२) यात्रा की समाप्ति पर टिकट मालिक गाड़ी को नहीं लौटाया जायेगा।

R. MOOKERJEE,  
Additional Commissioner, Sales  
Tax and Agricultural Income-Tax.  
Rajasthan, Jaipur.

*Notifications under*

## **Rajasthan Passengers & Goods Taxation Rules, 1959.**

*Published in Raj. Raj-patra part IV (b) March 9, 1961 at page 399 :*

*Jaipur, March 9, 1961.*

**No. F. 15 (11) E&T/61-11**—In pursuance of rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959, the Government of Rajasthan hereby directs that the tax chargeable in respect of the goods transported by the following classes of Motor Vehicles, shall be paid in lump sum as mentioned opposite each such class:—

**1. Public carriers (Goods Vehicles):—**

(a) Holding a general permit under the motor Vehicles Act, 1939 to use all roads in Rajasthan:—

(i) Load Carrying capacity below  
5 Tons..... Rs 500/—per annum.

(ii) Load carrying capacity 5 Tons  
and above.... Rs. 660/—Per annum

(b) Holding a permit under the Motor Vehicles Act, 1939 for plying within the limits of any region or on fixed routes in any one region:—

(i) Load carrying capacity below  
5 Tones.... Rs. 440/—per annum.

(ii) Load carrying capacity 5 Tons  
and above.... Rs. 580/—per annum.

**2. Public Carriers (Goods Vehicles plying on hire on temporary permits under the Motor Vehicles Act, 1939:—**

(i) Load carrying capacity  
below 5 Tons.... Rs. 2.50 nP. for each calendar day beginning and ending at midnight or part thereof.

(ii) Load carrying capacity 5 Tons and above Rs. 5.00       "       "

This shall have immediate effect.

*Published in Raj Raj-patra part, IV (c) January 25 1962 at page 570-571 :*

*Jaipur, January 2, 1962.*

**No. F. 15 (11) E & T/61.**—In pursuance of Rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959, the State Government hereby makes the following amendment in this Department Notification No. F. 15 (11) E&T/61-II, dated the 9th March, 1961, namely:—

## AMENDMENT

In item 1 of the said Notification the following proviso shall be added, namely.

“Provided that an owner of a public carrier (goods vehicle) not holding any permit in Rajasthan but otherwise falling under categories (a) and (b) above may pay tax in lump sum as per rates provided against the said categories”.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

*Published in Raj Raj-patra part IV (c) dated August 31, 1961 at page 247 .*

## NOTIFICATIONS

*Jaipur, July 13, 1961.*

No. F. 15(2) E & T./59—In pursuance of Rule 8 of Rajasthan Passengers and Goods Taxation Rules, 1959, the State Government hereby directs that the tax chargeable on fare in respect of the following classes of Motor Vehicles shall be paid in lump sum as mentioned opposite each such class:—

1. Motor Cycle Rikshas	....	Rs. 70/-p. a.
2. Motor Cabs	....	Rs. 140/-p. a.
3. Motor Rikshas and	....	Rs. 1.25 nP. for
Motor Cabs plying on	....	each calender
hire on temporary	....	and ending at
Permits under Motor	....	day beginning
Vehicle Act, 1939.	....	mid-night or
		part thereof.

**Excise and Taxation Department**

**NOTIFICATIONS**

**Jaipur, April 30, 1959.**

*No. F. 15 (5) E & T/59/I.*—In exercise of the powers conferred by section 2(b) of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the Government of Rajasthan hereby appoints the Additional Commissioner, Sales Tax to perform all the functions of the Commissioner under the Act.

This shall have effect on and from the 1st May, 1959.

**Jaipur, April 30, 1959.**

*No. F. 15 (5)/E & T/59/II.*—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the Government of Rajasthan hereby directs that the tax shall be charged, in respect of passengers carried and goods transported by stage carriages, at the following rates, namely:—

(1) One eighth of the value of the fare or freight in the case of cemented, tarred, asphalted, metalled, gravel and kankar roads, and

(2) One-twelfth of the fare or freight in other cases subject to a minimum of one naya paisa in any one case, the amount of tax being calculated to the nearest naya paisa.

This shall have effect on and from the 1st May, 1959.

**Jaipur, April 30, 1959.**

*No. F. 15 (5) E & T/59/IV.*—In exercise of the powers conferred by section 7 (1) of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act No. 18 of 1959), the Government of Rajasthan hereby appoints the following persons to assist the Commissioner for carrying out the purposes of the said Act:—

1. Assistant Commissioners, Excise and Taxation,
2. Sales Tax Officers.
3. Inspectors, Excise and Taxation.

This shall have effect on and from the 1st May, 1959.

**Jaipur, April 30, 1959.**

*No. F. 15 (5)/E & T/59/V.*—In exercise of the powers conferred by sub-section (2) of section 7 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act No. 18 of 1959), the Government of Rajasthan hereby orders that the persons appointed to assist the Commissioner under sub-section (1) of section 7 of the

21 Notifications under Raj. Passengers & Goods Taxation Act, 1959

aforesaid Act shall exercise the powers and perform the duties assigned to them under the said Act and the Rules, thereunder within the local limits indicated below:—

- (1) The Assistant Commissioner, Excise District of posting and Taxation holding charge of districts (except District of Jaipur, Jodhpur, Ajmer, Bikaner, Kotah and Udaipur.
  - (2) The Sales Tax Officer, B-circle, District Jaipur. Jaipur City.
  - (3) The Sales Tax Officer, Jodhpur City. District Jodhpur.
  - (4) The Sales Tax Officer, Bikaner City. District Bikaner.
  - (5) The Sales Tax Officer, Kotah City. District Kotah.
  - (6) The Sales Tax Officer, Udaipur City. District Udaipur.
  - (7) The Sales Tax Officer, Ajmer City. District Ajmer.
  - (8) Inspector, Excise and Taxation. Circle of posting.
- This shall have effect on and from 1st May, 1959.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Rajpatra parta IV (c) dated July 20, 1959 at page 283-84*

Excise and Taxation Department

Jaipur, July 10, 1959.

No. F. 15 (5) ET/59.—Whereas, in the opinion of the Government of Rajasthan, it is expedient in the public interest to exempt persons carried and goods transported by the classes of Motor Vehicles hereinafter specified from the payment of tax chargeable under the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act No. 18 of 1959).

Now, therefore, in exercise of powers conferred upon it by section 9 of the said Act, the Government of Rajasthan hereby exempts from the payment of tax thereunder, persons carried and goods transported by the following classes of Motor Vehicles:—

1. Any motor vehicle owned by and used solely for the purposes of, any Educational Institution, which is either run by the Government or is recognised by the Government or whose managing committee is a society registered under the Societies Registration Act, 1860 of the Central Legislature as adopted to Rajasthan.

2. Motor Vehicles used solely for the conveyance of corpses.

3. Ambulances of the Medical Department and Red Cross Society.

By Order of the Governor,  
G. S. PUROHIT,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated September 10, 1959 at page 292*

Excise and Taxation Department

NOTIFICATIONS

Jaipur, July 28, 1959.

*No. F. 15 (5) ET/59.*—In exercise of the powers conferred by section 14 of the Rajasthan Passengers and Goods Taxation Act, 1959 ( Rajasthan Act No. 18 of 1959 ), the State Government is hereby pleased to appoint all Deputy Commissioners, Excise and Taxation to be the Appellate authorities to decide appeals arising in the area within their respective jurisdictions.

*Published in Raj. Raj-patra part IV (c) at page 34*

Excise and Taxation Department

NOTIFICATIONS.

*No. F. 15 (12) ET/60.*—In exercise of the powers conferred under Section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Act No. 18 of 1959), the State Government being of the opinion that it is expedient in public interest to do so hereby exempts the Rajasthan State Roadways from the operation of Sections 11 and 12 of the Rajasthan Passengers and Goods Taxation Act, 1959 and Rules 3, 4, 5, 6, 7, 10 (1) and (2), 11 and 18 of the Rajasthan Passengers and Goods Taxation Rules, 1959.

*Published in Raj. Raj-patra part IV (c) dated September 8, 1960 at page 343*

Jaipur, August 29, 1960.

*No. D. F. 15 (2) ET/59.*—In exercise of the powers conferred under section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (18 of 1959), the State Government being of the opinion that it is expedient in public interest to do so, hereby exempts the owners of 'Motor Cycle Rickshaws and Motor Cabs' in Rajasthan from the payment of tax under section 3 of the said Act.

By Order of the Governor,  
RAM SINGH,  
Secretary to the Government.

*Notifications under*

## **RAJASTHAN PASSENGERS AND GOODS TAXATION ACT, 1959**

*Published in Raj. Raj-patra IV (b) dated March 9, 1961 at page 399 :*

*Jaipur, March 9, 1961.*

**No. F. 15 (11) E&T/61-I.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the Government of Rajasthan hereby directs that the tax shall be charged, in respect of passengers carried and goods transported by stage carriages, at the following rates, namely:—

(1) 15 per cent of the value of the fare or freight in the case of cemented, tarred, asphalted, metalled, gravel and kankar roads, and

(2) 10 per cent of the fare or freight in other cases,

subject to a minimum of one naya paisa in any one case, the amount of tax being calculated to the nearest naya paisa.

This shall have immediate effect.

*Published in Raj. Raj-patra IV (c) dated March 1, 1962 at Page 647 :*

**Excise and Taxation Department**

### **NOTIFICATION**

*Jaipur, January 4, 1962.*

**No. F. 15 (11) E&T/61.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959) the State Government hereby makes the following amendment in this Department Notification No F. 15 (11) E&T/61-I, dated March 9, 1961, published in Rajasthan Gazette Extraordinary, Part IV-C, dated March 9, 1961, namely:—

### **AMENDMENT**

In line 5 of the said Notification after the words “stage carriages” the words “or public carriers” shall be inserted.

By Order of the Governor,  
**S. P SINGH, BHANDARI,**  
Secretary to the Government.

*Published in Raj. Raj-patra IV (c) dated May 25, 1961 at page 107 :*

*Jaipur, April 18, 1961.*

**No. F. 15, (1) E&T/61.**—In exercise of the powers conferred by sub-section (2) of section 7 of the Rajasthan Passengers and



Goods Taxation Act, 1959 (Rajasthan Act, No. XVIII of 1959) and in supersession of this Department Notification No. F. 15 (5) E&T/59/V, dated the 30th April, 1959, the State Government hereby orders that the Assistant Commissioners, Excise and Taxation, and Inspectors, Excise and Taxation, appointed to assist the Commissioner, Excise and Taxation, under sub-section (1) of section 7 of the aforesaid Act, shall exercise the powers and perform the duties assigned to them under the said Act and Rules thereunder within the local limits of their jurisdictions.

By Order of the Governor,  
RAM SINGH,

Secretary to the Government.

*Published in Raj. Raj-patra IV (c) at page 32 :*

*Jaipur, April 26, 1961.*

*No. F. 15 (6) E&T/60.*—In exercise of the powers conferred under Section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Act No. 18 of 1959), the State Government being of the opinion that it is expedient in public interest to do so, hereby exempts the Gujarat State Road Transport Corporation from the operation of rules 4, 5 and 6 of the Rajasthan Passengers and Goods Taxation Rules, 1959.

*Published in Raj. Raj-patra IV (c) dated July 13 1961 at page 163 :*

Excise and Taxation Department

### NOTIFICATIONS

*Jaipur, May 22, 1961.*

*No. F. 15 (12) E&T/60.*—In exercise of the powers conferred by section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government being of the opinion that it is expedient in public interest to do so hereby makes the following amendment in this Department notification No. F. 15 (12) ET/60, dated 11-7-60, namely;—

### AMENDMENT

“In the said notification, for the words and figures “section 11 and 12” the word and figures ‘section 11’ shall be substituted”.

*Published in Raj. Raj-patra part IV (c) dated August 31, 1961 at page 247 :*

*Jaipur, July 14, 1961.*

*No. F. 15 (2) E. & T./59-II.*—In exercise of the powers conferred under section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959, (Rajasthan Act, No. 18 of 1959) the State Government being of the opinion that it is expedient in public interest to do

so, hereby exempts the owners of Motor Cycle Rikshas and Motor Cabs in Rajasthan from payment of tax under section 3 of the said Act provided that --

- (a) such vehicles ply within an area of 5 Miles from municipal limits, and
- (b) such vehicles are not used as stage carriages from a place beyond 5 miles from the municipal limits.

*Published in Raj Raj-patra part IV (c) Dated March 26, 1962 at page 336 :*

*Jaipur, March, 26, 1962.*

No. F. 15 (5) E&T/62.—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby directs that the tax shall be charged in respect of passengers carried and goods transported by motor vehicles at the following rates, namely:—

- (1) 20 per cent of the value of the fare or freight in the case of commenced, tarred, asphalted, metalled, gravel and kankar roads, and
- (2) 15 per cent of the fare or freight in other cases, subject to a minimum of one naya paisa in any case, the amount of tax being calculated to the nearest naya paisa.

This shall have immediate effect.

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

*Published in Raj Raj-patra part IV (c) dated July 26, 1962, at page 388 :*

Excise and Taxation Department

### NOTIFICATION

*Jaipur, July 6, 1962.*

No. F. 11 (42) E&T/61.—In pursuance of the provisions of sub-section (1) of section 7 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby appoints the Deputy Commissioner (appeals), Excise and Taxation, Jodhpur and Jaipur to be "Appellate Authorities" for the districts given below against each in addition to their existing jurisdiction.

*District,*

- |   |   |
|---|---|
| 1. Deputy Commissioner, Excise and Taxation (Appeals), Jodhpur. | Udaipur, Chittorgarh, Bhilwara, Banswara and Dungarpur. |
| 2. Dy. Commissioner, Excise and Taxation (Appeals), Jaipur.     | Kotah, Bundi, Tonk and Jhalawar.                        |

*Published in Raj. Raj-patra part IV (c) dated November 22, 1962 at page 607 :*

*Jaipur, October 22, 1962.*

No. F. 15 (12) E&T60.—In exercise of the powers conferred by section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby makes the following further amendment in this Department Notification of even number dated the 11th July, 1960, published in Part IV-C of the Rajasthan Gazette, dated the 11th Aug., 1960, namely:—

#### AMENDMENT

In the said Notification, for the word and figures “11 and 18” appearing in the last but one line, the word and figures “and 11” shall be substituted.

## *Notification under*

# RAJASTHAN PASSENGERS AND GOODS TAXATION ACT, 1959

Jaipur, December 7, 1962.

No. F. 15 (13) E&T/62.—In exercise of the powers conferred by sub-section (1) of section 7 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby appoints every Assistant Sales Tax Officer (Prevention) to assist the Commissioner, Excise and Taxation, Rajasthan, and further in pursuance of sub-section (2) of the said section, the State Government hereby orders that the said Assistant Sales Tax Officer (Prevention) shall exercise the powers and perform the duties of a "prescribed authority" under sub-clause (i) clause (1) of rule 2 of the Rajasthan Passengers and Goods Taxation Rules, 1959.

By Order of the Governor,  
M. MUKFRJI.

Secretary to the Government.

Jaipur, January 24, 1963.

No F. 15 (2) E&T/59 (B).—In exercise of the powers conferred by section 9 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 15 of 1959), the State Government hereby cancels this Department Notification No. F 15 (2) E&T/59-II, dated the 14th July, 1961 published on Page 247 in the Rajasthan Rajpatra, Part IV-C, dated 31st August, 1961 regarding the exemption of Motor Cycle rikshaws and Cabs, from the payment of tax under the said Act.

Finance (Revenue & Economic Affairs)

Department (Commercial Taxes Section)

Jaipur, March 6, 1965.

Notification No. F. 16(17) FD (CT)/65-11.—In pursuance of rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959 and in supersession of this Department notification No. F 15 (22) E&T/62 dated the 4th May, 1963 (published in Rajasthan Rajpatra Part IV-C, dated the 19th September, 1963), the State Government hereby directs that the tax chargeable in respect of the goods transported by the following classes of Motor Vehicles, shall be paid in lump sum as mentioned against each such class :—

### 1. Public Carriers (Goods Vehicles) —

- (a) Holding a general permit under the Motor Vehicles Act, 1939 to use all roads in Rajasthan;

- (i) Load carrying capacity below 5 tons

Rs. 625 per annum.

- (ii) Load carrying capacity 5 tons and above Rs. 825 per annum.
- (b) Holding a permit under the Motor Vehicles Act, 1939 for plying within the limits of any region or on fixed routes in any one region;
  - (a) Load carrying capacity below 5 tons Rs. 550/- p. a.
  - (b) Load carrying capacity 5 tons and above Rs. 725/- p. a.

Provided that an owner of a public carrier (goods vehicle) not holding any permit in Rajasthan but otherwise falling under categories (a) and (b) above may pay tax in lump sum as per rates provided against the said categories.

2. Public carriers (Goods vehicles) plying on hire on temporary permits under the Motor Vehicles Act, 1939.

- (i) Load carrying capacity below 5 tons Rs. 3.13 P for each calendar day beginning and ending at mid-night or part thereof.
- (ii) Load carrying capacity 5 tons and above Rs. 6.25 P. " "

Provided that an owner of a public carrier (goods vehicles) not holding any permit in Rajasthan but otherwise falling under above category may pay tax in lump sum at the rate provided for the said category.

This shall have immediate effect.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 6-3-65--Page 822]

Finance (Revenue & Economic Affairs) Department  
(Commercial Taxes Section)  
Jaipur, February 7, 1966.

Notification No. F. 16 (3) FD (CT) 66-I.—In exercise of the powers conferred by sub-section (1) of section 3 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act 18 of 1959), the State Government hereby directs that the tax shall be charged in respect of passengers carried and goods transported by motor vehicles at the following rates, namely:—

(1) 25 percent of the value of the fare or freight in the case of cemented, tarred, asphalted, metalled, gravel and kankar roads, and

(2) 20 percent of the fare or freight in other cases, subject to a minimum of one paise in any case, the amount of tax being calculated to the nearest paise.

This shall have effect on and from the 8th February, 1960/.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 7-2-66—Page 1120]

Finance (Rev. & Eco. Affairs) Department  
Commercial Taxes Section)  
Jaipur, February 7, 1966

**Notification No. F. 16(4) FD (CT) 66/11.**—In pursuance of rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959. and in supersession of this Department Notification No. F. 16 (17) FD (CT) 65-II, dated the 6th March, 1965, the State Government hereby directs that the tax chargeable in respect of the goods transported by the following classes of motor vehicles shall be paid in lump sum as mentioned against each such class :—

1. Public carriers (Goods vehicles)—

(a) Holding a general permit under the Motor Vehicles Act, 1939 to use all roads in Rajasthan;

- |   |      |                        |
|---|------|------------------------|
| (i) Load carrying capacity below 5 tons                       | .... | Rs. 750.00 per annum.  |
| (ii) Load carrying capacity 5 tons and above but below 9 tons | .... | Rs. 1080.00 per annum. |
| (iii) Load carrying capacity 9 tons and above                 |      | Rs. 1320.00 per annum. |

(b) Holding a permit under the Motor Vehicles Act, 1939 for plying within the limits of any region or on fixed routes in any one region;

- |   |      |                         |
|---|------|-------------------------|
| (i) Load carrying capacity below 5 tons                       | .... | Rs. 660.00 per annum.   |
| (ii) Load carrying capacity 5 tons and above but below 9 tons | ...  | Rs. 960.00 per annum.   |
| (iii) Load carrying capacity 9 tons and above                 | .... | Rs. 1,200.00 per annum. |

Provided that an owner of a public carrier (goods vehicles) not holding any permit in Rajasthan but otherwise falling under categories (a) and (b) above shall also pay tax in lump sum as per rates provided against the said classes.

2. Public carriers (goods vehicles) plying on hire on temporary permits under the Motor Vehicles Act, 1939.

- |   |  |
|---|--|
| (i) Load carrying capacity below tons                         | Rs. 4.00 for each calendar day beginning and ending at mid-night or part thereof.  |
| (ii) Load carrying capacity 5 tons and above but below 9 tons | Rs. 8.00 for each calendar day beginning and ending at mid-night or part thereof,  |
| (iii) Load carrying capacity 9 tons and above.                | Rs. 10.00 for each calendar day beginning and ending at mid-night or part thereof. |

Provided that an owner of a public carrier (goods vehicles not holding any permit in Rajasthan but otherwise falling under above category may pay tax in lump sum at the rate provided for the said class.

This shall have effect on and from the 8th February, 1966.

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt.7-2-66 Page 1121]

Finance (Rev. & Eco. Affairs) Department  
(Commercial Taxes Section)

Jaipur, February 7, 1966

Notification No. F. 16 (3) FD (CT)/66-III.—In pursuance of rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959 and in supersession of the Department Notification No. F. 16 (17) FD (CT)/65-1, dated the 6th March 1965, the State Government hereby directs that the tax chargeable on fare in respect of the following classes of motor vehicles shall be paid in lump sum as mentioned against each such class, namely :—

1. Motor cycle rickshaw including a Scooter or any other three wheeled motor vehicle
  - (a) with seating capacity upto 2 only, excluding the Driver .... Rs. 30.00 per annum.
  - (b) with seating capacity upto 4 only, excluding the Driver .... Rs. 120.00 per annum.
  - (c) with seating capacity of more than 4 excluding the Driver .... Rs. 240.00 per annum.
2. Motor Cabs .... Rs. 360.00 per annum.
3. All motor vehicles mentioned at- For each calendar day beginning and ending at midnight or part thereof—
  - (a) item (1) (a) above plying on hire on temporary Permits under Motor Vehicles Act, 1939. .... Rs. 2.50.
  - (b) item (1) (b) and (c) and (2) above plying on hire on temporary permits under Motor Vehicles Act, 1939 .. Rs. 3.50.

This will have effect on and from the 8th February, 1966.

[ Pub. in Raj Gaz. Ex 4 (Ga)—Dt. 7-2-66—Page 1122

Finance (Rev & Eco. Affairs) Department  
(Commercial Taxes Section)  
Jaipur, December 14, 1966.

Notification No. F. 15 (39) FD (RT)/63.—In pursuance of sub-section (1) of section 7 of the Rajasthan Passengers and Goods Taxation Act, 1959 (Rajasthan Act, 18 of 1959) and in supersession of this Department Notification No. F. 15 (39) FD (RT)/63, dated the 5th June, 1965 published in the Rajasthan Gazette, Part IV-C, dated the 10th June, 1965, the State Government hereby appoints every Deputy Commissioner, Commercial Taxes (Administration), Commercial Taxes Officer, Assistant Commercial Taxes Officer Assistant Commercial Taxes Officer (Flying Squad] and Ins-

pector of the Commercial Taxes Department, within his respective jurisdiction, to assist the Commissioner for carrying out the purposes of the said Act:

Provided that for the purposes of Jaipur District, Commercial Taxes Officer, Assistant Commercial Taxes Officer and Inspector, referred to above, shall mean the Commercial Taxes Officer, Assistant Commercial Taxes Officer and Inspector posted in Circle 'C' Jaipur.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 14-12-66 Page 553]

Finance (Rev. & Eco. Affairs) Department  
(Commercial Taxes Section)  
Jaipur, January 4, 1967.

**Notification No. F. 15 (57) FD (RT)/64.**—In pursuance of the rule 8 of the Rajasthan Passengers and Goods Taxation Rules, 1959, the State Government hereby directs that the tax chargeable in force in respect of the following class of Motor Vehicles shall be paid in a lump sum as mentioned against each class namely :—

1. Contract Carriage (including a Station Wagon) with seating capacity of seven or below. Rs. 360/- per annum.
2. Contract Carriage (including Station Wagon) with a seating capacity above seven, but below twelve. Rs. 480/- per annum.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 4-1-67 Page 702]



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*Rules and Notifications under*

PASSPORT ACT, 1920  
( CENTRAL ACT No. 34 OF 1920 ).

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## Notifications under

### PASSPORT ACT, 1920.

*Published in Rajasthan Raj-patra Dated October 10, 1953 part I at page 794*

Political Department.

Press Communique.

Jaipur, September 30, 1953.

*No. F. 5-A (53) Pol-IP/53.*—The work relating to the grant of extensions in the Indian Visas on Pakistan passports and grant of permission to visit places other than those included in the Indian Visa was hitherto being done by the Passport Officer, Rajasthan at Jaipur. In implementation of the agreement arrived at the Indo Pakistan Passport Conference, it is notified for general information that the following powers have been delegated to all the District Magistrates in Rajasthan:—

- (a) Extensions of the period of stay for a total period of 30 days; and
- (b) Permission to visit places other than those mentioned in the Visa, but falling within the State of Rajasthan.

Applications for the above purpose should be made to the District Magistrate of the District for which the persons concerned hold the Visas.

Applications for extension beyond 30 days and for visit to places outside Rajasthan will continue to be entertained by the Passport Officer,, Rajasthan as heretofore.

*Published in Raj. Raj-patra Vol. 4 part I at page 739.*

Political Department 'Pal'.

### NOTICE.

Jaipur, October 15, 1952.

*Subject:—India-Pakistan Passports.*

*No. F. 5-A (2) Pol-Pal (IP)/52.*—Persons desirous of applying for India-Pakistan passports are required to furnish the following information in the space provided against para 2 (Permanent address in India) of the form of application for India-Pakistan passport (I.P.P. Form I).

1. Number of the house and the name of the street, if the applicant resides in a town or city.
2. Name of village and town.
3. Nearest Post Office.
4. Police Station.
5. District.
6. State.

2. It is also impressed on all applicants for such passports that in filling up the application forms great care should be exercised since applications which are incorrectly or incompletely filled up will have to be returned to the applicants for corrections involving long delays:

K. P. U. MENON.  
Deputy Secretary,  
to the Government.

*Published in Raj. Raj-patra Vol. 4 No. 90 Dated 30-8-52 part I at page 485.*

Political Department 'Pal'

NOTIFICATION.

Jaipur, August 29, 1952.

No. F. 5 (1)/Pol-Pal/51-II.—It is notified for general information that the financial guarantees of maintenance and repatriation furnished in connection with the issue of passports should hereafter be executed on a stamped paper of the value of Rs 10/- in accordance with Article 57 (b) of the Schedule to the Rajasthan Stamp Law (Adaptation) Act of 1952.

S. W. SHIVESHWARKAR.  
Chief Secretary to the Government.

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*Rules and Notifications under*

**PAYMENT OF BONUS ACT, 1965.**

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*Notification under*

**PAYMENT OF BONUS ACT, 1965**

**Labour And Employment Department**

**Jaipur, July 28, 1966.**

**Notification No F.1(9)(23)L &E/65.-In exercise of the powers conferred by sub-section (1) of Section 27 of the Payment of Bonus Act, 1965 (Central Act 21 of 1965), the State Government hereby amends this Department notification of even number dated 30th August, 1965 published in the Rajasthan Gazette (Extraordinary) Part IV-C dated 30-8-65,namely:--**

**AMENDMENT**

**In the said notification for the words' Labour Officer, Udaipur' appearing the last entry in column No 1 (under head—Designation of Officers) of the table shall be substituted by the words "Regional Assistant Labour Commissioner, Udaipur."**

**[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 28--7--66--Page 237]**

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*Rules and Notifications under*

PAYMENT OF BONUS ORDINANCE, 1965

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## PAYMENT OF BONUS ORDINANCE, 1965

Labour and Employment Department

Jaipur, August 30, 1965

**Notification No. E. 1 (9) (23 /L & E/65.**—In exercise of the powers conferred by sub-section (1) of section 27 of the Payment of Bonus Ordinance, 1965 (Central Ordinance No. 3 of 1965), the State Government hereby appoints the following Officers of the Labour & Employment Department Rajasthan mentioned in column No. 1 of the table given below, as Inspectors for the purposes of the said Ordinance within the local limits specified against each in column No. 2 of the table.

TABLE

Designation of Officers. 1	Territorial jurisdiction. 2
Regional Assistant Labour Commissioner, Jaipur.	Jaipur and Tonk Districts.
Labour Officer, Bharatpur	Bharatpur, Alwar and Sawai Madhopur Districts.
Labour Officer, Ajmer	Ajmer, Sikar and Jhunjhunu Districts.
Regional Assistant Labour Commissioner, Jodhpur	Jodhpur, Nagaur, Pali, Jalore, Sirohi, Barmer and Jaisalmer Districts.
Labour Officer, Bikaner	Bikaner, Churu and Sriganganagar Districts.
Regional Assistant Labour Commissioner, Kota	Kota, Bundi & Jhalawar Districts.
Labour Officer, Bhilwara	Bhilwara and Chittorgarh Districts.
Regional Assistant Labour Commissioner, Udaipur	Udaipur, Banswara and Dungarpur Districts.

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*Rules and Notifications under*

PAYMENT OF WAGES ACT, 1936.  
( CENTRAL ACT No. 4 OF 1936 )

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# e Rajasthan Payment of Wages Rules, 1951.

## Notes.

The Payment of wages Act, 1936 regulates the payment of wages to certain classes of persons employed in Industry. Section 26 of the Act invests the State Government with the rule making power. Section 26 reads as under:—

(1) The State Government may make rules to regulate the procedure to be followed by the authorities and Courts referred to in section 15 and 17.

(2) The State Government may \* \* \* by notification in the Official Gazette make rules for the purpose of carrying into effect the provisions of this Act.

(3) In particular and without prejudice to the generality of foregoing powers, rules made under sub-section (2) may—

- (a) require the maintenance of such records, registers, returns and notices as are necessary for the enforcement of the Act and prescribe the form thereof ;
- (b) require the display in a conspicuous place on premises where employment is carried on of notices specifying rates of wages payable to persons employed on such premises;
- (c) provide for the regular inspection of the weights, measures and weighing machines used by employers in checking or ascertaining the wages of persons employed by them;
- (d) prescribe the manner of giving notice of the days on which wages will be paid ;
- (e) prescribe the authority competent to approve under sub-section (1) of section 8 acts and omissions in respect of which fines may be imposed;
- (f) prescribe the procedure for the imposition of fines under section 8 and for the making of the deductions referred to in section 10;
- (g) prescribe the conditions subject to which deductions may be made under the proviso to sub section (2) of section 9 ;
- (h) prescribe the authority competent to approve the purposes on which the proceeds of fines shall be expended ;
- (i) prescribe the extent to which advances may be made and the instalments by which they may be recovered with reference to clause (b) of section 12;
- (j) regulate the scale of costs which may be allowed in proceedings under this Act ;
- (k) prescribe the amount of court-fees payable in respect of any proceedings under this Act ; and
- (l) prescribe the abstracts to be contained in the notices required by section 25

(4) In making any rule under this section the State Government may provide that a contravention of the rule shall be punishable with fine which may extend to one hundred rupees.

(5) All rules made under this section shall be subject to the condition of previous publication, and the date to be specified under clause (3) of section 23 of the General Clauses Act, 1897 ( X of 1897), shall not be less than three months from the date on which the draft of the proposed rules was published.

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These rules have been first Published in Raj. Raj-patra Dated July 11, 1951  
part IV (b) at page 39.

# The Rajasthan Payment of Wages Rules, 1951.

## Notes.

The Payment of wages Act, 1936 regulates the payment of wages to certain classes of persons employed in Industry. Section 26 of the Act invests the State Government with the rule making power. Section 26 reads as under:—

(1) The State Government may make rules to regulate the procedure to be followed by the authorities and Courts referred to in section 15 and 17.

(2) The State Government may \* \* \* by notification in the Official Gazette make rules for the purpose of carrying into effect the provisions of this Act.

(3) In particular and without prejudice to the generality of foregoing powers, rules made under sub-section (2) may—

- (a) require the maintenance of such records, registers, returns and notices as are necessary for the enforcement of the Act and prescribe the form thereof;
- (b) require the display in a conspicuous place on premises where employment is carried on of notices specifying rates of wages payable to persons employed on such premises;
- (c) provide for the regular inspection of the weights, measures and weighing machines used by employers in checking or ascertaining the wages of persons employed by them;
- (d) prescribe the manner of giving notice of the days on which wages will be paid;
- (e) prescribe the authority competent to approve under sub-section (1) of section 8 acts and omissions in respect of which fines may be imposed;
- (f) prescribe the procedure for the imposition of fines under section 8 and for the making of the deductions referred to in section 10;
- (g) prescribe the conditions subject to which deductions may be made under the proviso to sub section (2) of section 9;
- (h) prescribe the authority competent to approve the purposes on which the proceeds of fines shall be expended;
- (i) prescribe the extent to which advances may be made and the instalments by which they may be recovered with reference to clause (b) of section 12;
- (j) regulate the scale of costs which may be allowed in proceedings under this Act;
- (k) prescribe the amount of court-fees payable in respect of any proceedings under this Act; and
- (l) prescribe the abstracts to be contained in the notices required by section 25

(4) In making any rule under this section the State Government may provide that a contravention of the rule shall be punishable with fine which may extend to two hundred rupees.

(5) All rules made under this section shall be subject to the condition of previous publication, and the date to be specified under clause (3) of section 23 of the General Clauses Act, 1897 (X of 1897), shall not be less than three months from the date on which the draft of the proposed rules was published.

## LABOUR DEPARTMENT

## NOTIFICATION

Jaipur, June 3, 1953.

No. F. 15 (11) Lab./53.—In exercise of the powers conferred by sub-section (2), (3) and (4) of section 26 of the Payment of Wages Act, 1936 (IV of 1936), the Government of Rajasthan is pleased to make the following rules, the same having been previously published as required by sub-section (5) of section 26 of the Act.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA,  
Secretary to the Government.

1. *Title.*—These rules may be called the Rajasthan Payment of Wages Rules, 1951.

2. *Definitions.*—In these rules unless there is anything repugnant in the subject of context.—

- (a) "the Act" means the Payment of Wages Act (IV of 1936);
- (b) "the Authority" means the authority appointed under sub-section (1) of section 15 of the Act;
- (c) "the Chief Inspector of Factories" means the Chief Inspector of Factories appointed under sub-section (2) of section 8 of the Factories Act, 1948 (LXIII of 1948);
- (d) "the Court" means the court mentioned in sub-section (1) of section 17 of the Act;
- (e) "the deduction for breach of contract" means a deduction made in accordance with the provisions of the proviso to sub-section (2) of section 9 ;
- (f) "deduction for damage or loss" means a deduction made in accordance with the provisions of clause (c) of sub-section (2) of section 7 ;
- (g) "Form" means a form appended to these rules;
- (h) "Inspector" means the inspector authorised by or under section 14 of the Act;
- (i) "persons employed" excludes all persons to the payment of whose wages the Act does not apply;
- (j) "Section" means a section of the Act;
- (k) "paymaster" means an employer or other person responsible under section 3 of the Act for the payment of Wages;
- (l) words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.

## Section 26 (3) (a)

3. *Register of Fines.*—(1) In any factory in respect of which the employer has obtained approval under sub-section (1) of section 8 to a list of acts and omissions in respect of which fines may be imposed, the paymaster shall maintain a register of fines in Form I.

(2) At the beginning of the register of fines there shall be entered serially numbered the approved purpose or purposes on which the fines realised are to be expended.

(3) A voucher or receipt in respect of any amount disbursed shall be maintained and produced as and when demanded by the Inspector.

*Notes.*

Sub-section (1) of section 8 requires the imposition of fines in respect of acts and omissions duly approved by State Government. Sub-section (8) of Section 8 requires all fines and all realisations thereof to be recorded in a register in such form as may be prescribed. This rule prescribes the required form.

4. *Register of deductions for damage or loss.*—In every factory in which deductions for damages or loss are made, the paymaster shall maintain the register required by sub-section (2) of section 10 in Form II.

*Notes.*

Sub-section (1) of section 10 permits deductions for damages or loss caused to the employer by the neglect or default of the employed person. Sub-section (2) of section 10 requires that all such deductions & all such realisations thereof shall be recorded in a register in such form as may be prescribed. This rule prescribes the form of this register.

5. *Register of wages.*—A register of wages shall be maintained in every factory and may be kept in such form as the paymaster finds convenient but shall include the following particulars—

- (a) the gross wages earned by each person employed for each wage period,
- (b) All deductions made from those wages, with an indication in each of the clause of sub-section (2) of section 7 under which the deduction is made,

*Notes*

Sub-section (2) of section 7 provides following kinds of deductions from the wages of an employed person:—

- (a) fines ;
- (b) deductions for absence from duty :
- (c) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default ;
- (d) deductions for house accommodation supplied by the employer or by Government or any housing board set up under any law for the time being in force (whether the Government or the board is the employer or not) or any other authority engaged in the business of subsidising house accommodation which may be specified in this behalf by the State Government by notification in the Official Gazette;
- (e) deductions for such amenities and services supplied by the employer as the \* \* \* State Government may, by general or special order, authorise :

*Explanation.*—The word 'services' in this sub clause does not include the supply of tools and raw materials required for the purposes of employment.

- (f) deductions for recovery of advances or for adjustment of over payments of wages ;
- (g) deductions of income-tax payable by the employed person ;
- (h) deductions required to be made order of a Court or other authority competent to make such order ;

- (i) deductions for subscriptions to, and for re-payment of advances from, any provident fund to which the Provident Funds Act, 1925 (19 of 1925), applies or any recognised provident fund as defined in section 58-A of the Indian Income-tax Act, 1922 (11 of 1922), or any provident fund approved in this behalf by the State Government during the continuance of such approval;
- (j) deductions for payments to co-operative societies approved by the State Government or to a scheme of insurance maintained by the Indian Post Office; and
- (c) the wages actually paid to each person employed for each wage period.

6. *Maintenance of registers.*—The registers required by rules 3, 4, 5 and 17 shall be preserved for twelve months after the date of the last entry made in them.

#### Section 26 (3) (b)

7. *Display of wages rates.*—In every factory a notice in Form VI in Hindi shall be displayed by the paymaster in a conspicuous place at or near the entrance of each department or group of departments specifying the rates of wages payable to all classes of workers other than those holding position of supervision or management as mentioned in the Rajasthan Factories Rules. When the rates of wages are revised or a new class of work introduced the necessary alterations shall be made by the paymaster in the said notice and dated.

This notice shall be preserved for a period of six months after the date of its replacement by a new notice and shall be available to a Factory Inspector on demand for the purposes of inspection.

#### Section 26 (3) (a)

8. *Weights and measures.*—(1) All weights, measures or weighing machine which are used in checking or ascertaining the wages of persons employed in any factory shall be examined at least biennially by an Inspector who may prohibit the use of any weight, measure or weighing machine which he finds to register incorrectly.

(2) If the Inspector considers that any action should be taken under the Indian Penal Code (XLV of 1860), he may seize the article in question and shall record his opinion and send it to the District Magistrate for such action as he may think fit.

#### Section 26 (3) (d)

9. *Notice of dates of payment.*—The paymaster shall display in a conspicuous place at or near the main entrance of the factory, a notice in Hindi giving for not less than one month in advance the days on which wages are to be paid:

Provided that an employed person who is absent on any such day shall be paid his wages on any working day before the expiry of the third working day after the day on which a demand is made by him for the same.

## Section 26 (3) (c) (f) and (h)

## Notes.

Rules in this part prescribe the procedure and matters as required under Sub-Sections (1), (3) and (8) of Section 8 and Sub Section (1) of Section 10 of the Act.

These provisions of law are reproduced below:—

8. (1) No fine shall be imposed on any employed person save in respect of such acts and omissions on his part as the employer, with the previous approval of the [ State Government ] or of the prescribed authority, may have specified by notice under sub-section (2).

(3) No fine shall be imposed on any employed person until he has been given an opportunity of showing cause against the fine, or otherwise than in accordance with such procedure as may be prescribed for the imposition of fines.

(8) All fines and all realisations thereof shall be recorded in a register to be kept by the person responsible for the payment of wages under section 3 in such form as may be prescribed; and all such realisations shall be applied only to such purposes beneficial to the person employed in the factory or establishment as approved by the prescribed authority.

10. (1) A deduction under clause (c) of sub section (2) of section 7 shall not exceed the amount of the damage or loss caused to the employer by the neglect or default of the employed person and shall not be made until the employed person has been given an opportunity of showing cause against the deduction, or otherwise than in accordance with such procedure as may be prescribed for the making of such deductions.

10. *Prescribed authority:*—The Chief Inspector of Factories shall be the authority competent to approve, under sub-section (1) of section 8 acts and omissions in respect of which fines may be imposed and under sub-section (8) of section 8 the purposes on which the proceeds of fines shall be expended.

11. *Application in respect of fines:*—Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the Chief Inspector of Factories:—

(a) a list in duplicate clearly defining such acts and omissions;

(b) in cases where the employer himself does not intend to be the sole person empowered to impose fines, a list in duplicate showing those appointments in his factory of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fine.

12 *Approval of list of acts and omissions:*—The authority appointed under rule 10 on receipt of the list prescribed in rule 11 (a) may after such inquiry as he considers necessary pass orders either.

(a) disapproving the list:

(b) approving the list either in its original form or as amended by him in which case such list shall be considered to be an approved list;

Provided that no order disapproving or amending any list shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the list as submitted by him should be approved.

13. *Posting of list.*—The employer shall display at or near the main entrance of the factory a copy in Hindi of the list approved under rule 12.

14. *Persons authorised to impose fines.*—No fine may be imposed by any person other than an employer, or a person holding an appointment named in a list submitted under rule 11.

15. *Procedure in imposing fines and deductions*—Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss shall explain personally to the said person the act or omission or damage or loss, in respect of which the fine or deduction is proposed to be imposed and the amount of the fine or deduction, which it is proposed impose, and shall take on explanation, either orally on the presence of at least on other person or in writing as the employed person may prefer.

16. *Information to paymaster.*—The person imposing a fine or directing the making of a deduction for damage or loss, shall, without unnecessary delay, inform the paymaster of all particulars so that the register prescribed in rule 3 or rule 4 may be duly completed.

### Section 26 (3) (g)

#### Notes.

Section 9 of the Act reads as under:—

(1) Deductions may be made under clause (b) of sub-section (2) of section 7 only on account of the absence of an employed person from the place or places where, by the terms of his employment he is required to work, such absence being for the whole or any part of the period during which he is so required to work.

(2) The amount of such deduction shall in no case bear to the wages payable to the employed person in respect of the wage-period for which the deduction is made a large proportion than the period for which he was absent bears to the total period, within such wage-period, during which by the terms of his employment, he was required to work :

Provided that, subject to any rules made in this behalf by the State Government], if ten or more employed persons acting in concert absent themselves without due notice (that is to say without giving the notice which is required under the terms of their contracts of employment) and without reasonable cause, such deduction from any such person may include such amount not exceeding his wages for eight days as may by any such terms be due to the employer in lieu of due notice.

The rule in this part have been framed for putting into effect the requirements of proviso to sub-section (2) of section 9.

17. *Deductions for breach of contract.*—(1) No deduction for breach of contract shall be made from the wages of an employed person who is under the age of 15 years or is a woman.

(2) No deduction for breach of contract shall be made from the wages of any employed person unless—

- (a) there is a provision in writing forming part of the terms of the contract of employment requiring him to give notice of the termination of his employment, and
  - (i) the period of this notice does not exceed fifteen days of the wage period whichever is less, and

- (ii) the period of this notice does not exceed the period of notice which the employer is required to give of the termination of that employment,
- (b) this rule has been displayed at or near the main entrance of the factory and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made;
- (c) a notice has been displayed at or near the main entrance of the factory giving the names of the persons from whom the deduction is proposed to be made, the number of day's wages to be deducted and the conditions (if any) on which the deduction will be remitted:

Provided that where the deduction is proposed to be made from all the persons employed in any departments or sections of the factory, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections, to specify the departments or section affected.

(3) No deduction for breach of contract shall exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment.

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from any person who has complied with these conditions.

### *Section 26 (3) (i)*

#### *Notes*

Section 12 of the Act reads as under:—

12. Deductions under clause (f) of Sub section (2) of section 7 shall be subject to the following conditions, namely—

(a) recovery of an advance of money given before employment began shall be made from the first payment of wages in respect of a complete wage period, but no recovery shall be made of such advances given for travelling expenses;

(b) recovery of advances of wages not already earned shall be subject to any rules made by the (State Government) regulating the extent to which such advances may be given and the instalments by which they may be recovered.

Rule 18 has been framed as required under clause (b) of section 12 of the Act.

18. *Advances.*—(1) An advance of wages not already earned shall not without the previous permission of an inspector exceed an amount equivalent to the wages earned by the employed person during the preceding two calendar months or if he has not been employed for that period twice the wages he is likely to earn during the two subsequent calendar months.

(2) The advances may be recovered in instalments by deductions from wages spread over not more than twelve months. No instalment shall exceed one-third or where the wages for any wage period are not more than twenty rupees, one fourth of the wages for the wage period in respect of which the deduction is made.



(3) The amounts of all advances sanctioned and the repayments there of shall be entered in a register in Form III.

*Section 26 (3) (a)*

19. *Annual return.*—In respect of every factory, return shall be sent in Form IV so as to reach the Chief Inspector of Factories not later than the 15th of February following the end of the calendar year to which it relates:

*Section 26 (3) (j)*

20. *Costs.*—(1) Where the authority or the court as the case may be directs that any cost shall not follow the event he shall state his reasons for so doing in writing.

(2) The costs which may be awarded shall include—

- (a) the charges necessarily incurred on account of court fees;
- (b) the charges necessarily incurred on subsistence money to witnesses; and
- (c) pleader's fee which shall ordinarily be Rs 10/ provided that the authority or the court, as the case may be in any proceedings, may reduce the fee to a sum not less than Rs. 5/ or increase it to a sum not exceeding Rs. 30/-.

(3) When a party engages more pleaders than one to defend a case he shall be allowed one set of costs only.

21 The authority or the court as the case may be may fix fees on the payment of which any person entitled to do so may obtain copies of any documents filed with the authority or the court the case may be:

Provided that the authority or the court as the case may be, may, in consideration of the poverty of the applicant grant copies free of cost.

*Section 26 (3) (k)*

22. *Fees*—The fee payable in respect of proceedings under the Act shall be:—

- |  |  |
|--|--|
| (i) For every application to summon a witness.   | Four annas in respect of Such witnesses.   |
| ii) For every other application made by or on behalf of an individual person before the authority. | Eight annas.   |
| iii) For every other application made by or on behalf of an unpaid group before the authority.     | Four annas for each member of the group subject to a maximum of five rupees.   |
| (iv) (a) For every appeal lodged with the court  | Two rupees and eight annas for the hundred rupees or portion thereof and eight annas for every additional hundred rupees or portion thereof, subject to a maximum of ten rupees, |

- (b) For every other miscellaneous      Eight annas.  
application filed before the  
court;

Provided that the authority or the court may, in consideration of the poverty of the applicant reduce or remit this fee,

Provided further that new fee shall be chargeable in respect of any application presented by an Inspector.

*Section 26 (3) (l)*

23. *Abstract.*—The abstract of the Act and of the rules made thereunder to be displayed under section 25 shall be in Form V.

*Notes.*

Section 25 of the Act provides that, "The person responsible for the payment of wages to persons employed in a factory shall cause to be displayed in such factory a notice containing such abstracts of this Act and of the rules made thereunder in English and in the language of the majority of the persons employed in the factory, as may be prescribed."

*Section 26 (4)*

24. *Penalties.*—Any breach of rules 3, 4, 5, 6, 7, 9, 13, 16 and 19 of these rules shall be punishable with fine which may extend to two hundred rupees.

## FORM I

## Register of Fines

.....Factory.....

1	Serial Number	
2	Name	
3	Father's Name	
4	Department	
5	Act of omission for which fine imposed	
6	Whether workman showed cause against fine or Not. If so enter date	
7	Date of Wages	
8	<div> <div>Fines imposed</div> <div> <div>Date</div> <div>Amount</div> </div> </div>	
9	<div> <div>Fines realized or remitted</div> <div> <div>Date</div> <div>Amount realized</div> <div>Amount remitted</div> </div> </div>	
10	Date of realisation of disbursement	
11	Amount realised	
12	Reference to Sl. No. (Column 1)	
13	Amount disbursed	
14	Object on which disbursed	
15	Amount in hand in the fund	
16	Remarks	

Register of Deduction for Damage or Loss caused to the  
employer by the Neglect or Default of the Employed Persons.

Serial Number	Name	Fathr's Name	Department	Nature	Damages of loss caused	Whether worker showed cause against deduction or not. If so enter date.	Date	Deduction imposed	No. of instalments If any	Date	Amount realised.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

## Register of Advances made to Employed Persons.

1	Serial Number
2	Name
3	Father's Name
4	Department
5	Date & amount of advance made
6	Purposes for which Advance made
7	No. of instalments by which advance to be repaid
8	Postponements granted
9	Date on which total amount repaid
10	Remarks

## FORM IV

*Wages and Deductions from Wages.*

1. (a) Name of the factory or establishment and postal address.
- (b) Industry.
2. Number of days worked during the year.
3. (a) Average daily number of persons employed during the year.

Adults.. ....

Children.....

- (b) Gross amount paid as remuneration to these persons including deductions under section 7 (2) ..... of which the amount due to bonus is.....and that due to money value of concessions is
4. Total wages paid including deductions under section 7 (2) on the following accounts:—
  - (a) Basic wages including overtime
  - (b) Dearness and other allowance in cash
  - (c) Arrears of pay in respect of the previous years.
5. No. of cases and amount realised as—
 

No. of cases.....	Amount
(a) Fines	
(b) Deductions for damage or loss	
(c) Deductions for breach of contract	
6. Disbursement from the fine fund

*Purpose*

*Amount*

(a)

(b)

(c)

(d)

7. Balance of fine funds in hand at the end of the year.....

Signature.

Designation.

Note:—The average daily number of persons obtained by dividing the aggregate number of attendance during the year by the number of working days.

## FORM V.

Abstract of the Payment of Wages Act, 1936 and the Rules made thereunder.

*Whom the Act Affects.*

1. The Act applies to the payment of wages to person in this factory receiving less than Rs. 200 a month.
2. No employed person can give up by contract or agreement his rights under the Act.

*Definition of Wages,*

3. "Wages" means all remuneration payable to an employed person on the fulfilment of his contract of employment.

It includes bonus and any sum payable for want of a proper notice of discharge.

It excludes—

(a) the value of house accommodation, supply of light, water medical attendance or other amenity or of any service excluded by the State Government,

(b) The employer's contribution to a pension or provident fund.

Travelling allowance or concession or other special expenses entailed by the employment;

(d) any gratuity payable on discharge.

*Responsibility for and Method of Payment.*

4. The Manager of the factory is responsible for the payment under the Act of wages to persons employed under him and any contractor employing persons is responsible for payment to the persons he employs.

5. Wage periods shall be fixed for the payment of wages at intervals not exceeding one month.

6. Wages shall be paid on a working day within seven days of the end of the wage period or within ten days if 1,000 or more persons are employed.

The wages of a person discharged shall be paid not later than the second working day after his discharge.

7. Payments in kind are prohibited.

*Fines and Deductions.*

8. No deductions shall be made from wages except those authorised under the Act (see paragraphs 9 to 15 below).

9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Chief Inspector of Factories specify by a notice displayed at or near the main factory and after giving the employed person an opportunity for explanation.

(2) Fines—

(a) shall not exceed half an anna in the rupee.

(b) shall not be recovered by instalments or later than sixty days on the date of imposition.

(c) shall be recorded in a register and applied to such purposes beneficial to the employed persons as are approved by the Chief Inspector of Factories.

(d) shall not be imposed on a child.

10. (a) Deduction for absence from duty can be made only on account of the absence of the employed person at times when he should be working and such deductions must not exceed an amount

which is in the same proportion to his wages for the wage period as the time he was absent in that period is to the total time he would have been at work.

(b) If ten or more employed persons acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice but:—

- (1) no deduction for breaking a contract can be made from a person under 15 or a woman;
- (2) there must be a provision in writing which forms part of the contract of employment, requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a work must be given to the employer and that wages may be deducted in lieu of such notice;
- (3) the above provision must be displayed at or near the main entrance of the factory;
- (4) no deduction on this nature can be made until a notice that this deduction is to be made has been posted at or near the main entrance of the factory;
- (5) no deduction must exceed the wages of the employed person for the period by which the notice he gives of leaving employment, is less than the notice he should give under his contract.

(11) Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default.

Such deduction cannot exceed the amount of the damage or loss caused and can be made only after giving the employed person an opportunity for explanation.

(12) Deductions can be made equivalent to the value thereof for house accommodation amenities, or services (other than tools and raw material) supplied by the employer, provided these are accepted by the employed person as a part of the terms of his employment and have in the case of amenities and services been authorised by order of Government.

(13) (a) Deductions can be made for the recovery of advances or for adjustment of overpayment of wage.

(b) Advance made before the employment began can only be recovered from the first payment of wages for a complete wage period but no recovery can be made advance given for travelling expenses before employment began.

(c) Advances of unearned wages can be made at the paymaster's discretion during employment but must not exceed the amount of two months wages without the permission of an inspector.

These advances can be recovered by instalments, spread over not more than 12 months and the instalments must not exceed one third or if the wages are not more than Rs 20/- one fourth of the wages for any wage period.

14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund.

15. Deductions can be made for payments to cooperative societies approved by the State Government or to the postal insurance subject to any conditions imposed by the State Government.

#### *Inspections.*

16. An Inspector can enter on any premises, and can exercise powers of inspection (including examination of documents and taking of evidence) as he may deem necessary for carrying out of the purposes of the Act.

#### *Complaints of Deductions or Delays.*

17. (1) Where irregular deductions are made from wages or delays in payment take place, an employed person can make an application in the prescribed form within six months to the authority appointed by the State Government for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for the delay is shown.

(2) Any legal practitioner, official of a registered trade union, Inspector under the Act or other person acting with the permission of the authority can make the complaint on behalf of an employed person.

(3) A single application may be presented by, or on behalf of, any number of persons belonging to the same factory the payment of whose wages has been delayed.

#### *Action by the Authority.*

18. The authority may award compensation to the employed person in addition to ordering the payment of delayed wages or the refund of illegal deductions.

If a malicious or vexatious complaint is made, the authority may impose a penalty not exceeding Rs. 50/- on the applicant and order that it be paid to the employer.

#### *Appeal against the Authority.*

19. An appeal in the prescribed form against a direction made by the authority may be preferred within thirty days to the District Court.—

(a) by the paymaster if the total amount directed to be paid exceeds Rs. 300/-;

(b) by an employed person, if the total amount of wages withheld from him or his co-workers exceeds Rs. 50/-;

(c) by a person directed to pay a penalty for a malicious or vexatious application.



*Punishments for Breaches of the Act.*

20. Any one delaying the payment of wages beyond the due date or making any unauthorised deduction from, is liable to a fine upto Rs. 500/- but only if prosecuted with the sanction of the authority or the appellate court.

21. The paymaster who—

- (1) does not fix a wage period or
- (2) makes payment in kind, or,
- (3) fails to display at or near the main entrance of the factory this abstract in English and the language of the majority of employed persons, or
- (4) breaks certain rules made under the Act, if liable to a fine not exceeding, Rs. 200/-

A complaint to this effect can be made only by the Inspector or with his sanction.

## FORM VI

Name of the Factory.....  
 Name of Department.....  
 Date from which wage rates will be or are in force.. ..

Class or description of work.	Rate of wages per unit.			Allowance if any.
	Rs.	As.	ps.	

Name of paymaster in English.....  
 Signature.....  
 Date .....

Note.—The wages rates in this form shall be shown separately for time workers and piece workers.

# The Rajasthan Payment of Wages Rules, 1961.

Labour Department

## NOTIFICATION

*Jaipur, April 21, 1961.*

No. F. 3 (19)/Lab:/59:—In exercise of the powers conferred by sub-section (2), (3) and (4) of section 26 of the Payment of Wages Act, 1936 (central Act 4 of 1936) the State Government hereby makes the following rules, the same having been previously published as required by sub-section (5) of the said section, namely:—

1. *Short title and Commencement*—(i) These rules may be called the Rajasthan Payment of Wages Rules, 1961,

(ii) These rules shall come into force upon their Publication in the official Gazette.

2. *Definition*:—In these rules unless there is anything repugnant in the subject or context:—

- (a) “the act” means the Payment of Wages Act (4 of 1936);
- (b) “the Authority” means the authority appointed under sub-section (1) of section 15 of the Act;
- (c) “the Chief Inspector of Factories” means the Chief Inspector of Factories appointed under sub-section (2) of section 8 of the Factories Act, 1948 (63 of 1948);
- (d) “the Court” means the Court mentioned in sub-section (1) of section 17 of the Act;
- (e) “the deduction for breach of contract” means a deduction made in accordance with the provisions of the proviso to sub-section (2) of section 9;
- (f) “deduction for damage or loss” means a deduction made in accordance with the provisions of clause (c) of sub-section (2) of section 7;
- (g) “Form” means a form appended to these rules;
- (h) “Inspector” means the Inspector authorised by or under section 14 of the Act;
- (i) “Person employed” excludes all persons to the payment of whose wages the Act does not apply;
- (j) “Section” means a section of Act;
- (k) “Paymaster” means an employer or other person responsible under section 3 of the Act for the payment of wages;

- (1) Words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.

### SECTION 26 (3) (a)

3. *Register of Fines*:—(1) In any factory or industrial establishment in respect of which the employer has obtained approval under sub-section (1) of section 8 to a list of acts and omissions in respect of which fines may be imposed, the paymaster shall maintain a register of fines in Form I.

(2) At the beginning of the register of Fines there shall be entered serially numbered the approved purpose or purposes on which the fines realised are to be expended.

(3) A voucher or receipt in respect of any amount disbursed shall be maintained and produced as and when demanded by the Inspector.

4. *Register of deductions for damage or loss*:—In every factory or industrial establishment in which deductions for damages or loss are made, the paymaster shall maintain the register required by sub-section (1) of section 10, in Form II

5. *Register of Wages*—A Register of Wages shall be maintained in every factory or Industrial Establishment and may be kept in such form as the paymaster finds convenient but shall include the following particulars:—

- (a) the gross wages earned by each person employed for each wage period
- (b) all deductions made from these wages, with an indication in each of the clause of sub section (2) of section 7 under which the deduction is made,
- (c) the wages actually paid to each person employed for each wage period.

6. *Maintenance of Register*:—The register required by Rules 3, 4, 5 and 18 shall be preserved for twelve months after the date of last entry made in them.

### Section 26 (3) (B)

7. *Display of wages rates*:—In every factory or industrial establishment a notice in Form VI in Hindi shall be displayed by the paymaster in a conspicuous place at or near the entrance of each department or group of departments, specifying the rates of wages payable to all classes of workers other than those holding position of supervision or management as mentioned in the Rajasthan Factories Rules. When the rates of wages are revised or a new class of work introduced the necessary alterations shall be made by the paymaster in the said notice and dated.

This notice shall be preserved for a period of six months after the date of its replacement by a new notice and shall be available to an Inspector on demand for the purposes of inspection.

Section 26 (3) (C)

8 *Weights and measures*:—(1) All weights, measures or weighing machine which are used in checking or ascertaining the wages of persons employed in any factory shall be examined atleast biannually by an Inspector who may prohibit the use of any weight, measure or weighing machine which he finds to register incorrectly

(2) If the Inspector considers that any action should be taken under the Indian Penal Code (XLV of 1860), he may seize the article in question and shall record his opinion and send it to the District Magistrate for such action as he may think fit

Section 26 (3) (D)

9. *Notice of dates of payment*:—The paymaster shall display, in a conspicuous place at or near the main entrance of the factory a notice in Hindi giving for not less than one month in advance the days on which wages are to be paid :

Provided that an employed person who is absent on any such day shall be paid his wages on any working day before the expiry of the third working day after the day on which a demand is made by him for the same.

Section 26 (3) (E), (F) & (H)

10. *Prescribed authority*:—The Chief Inspector of Factories shall be the authority competent to approve, under sub-section (1) of section 8 acts and omissions in respect of which fines may be imposed and under sub-section (8) of section 8 the purposes on which the proceeds of fines shall be expended.

11. *Application in respect of fines*—Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the Chief Inspector of Factories:—

(a) A list in duplicate clearly defining such acts and omissions.

(b) in cases where the employer himself does not intend to be the sole person empowered to impose fines, a list in duplicate showing those appointments in his factory of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fine

12. *Approval of list of acts omissions*:—The authority appointed under rule 10 on receipt of the list prescribed in Rule 11 (a) may after such inquiry as he considers necessary pass orders either—

(a) disapproving the list;

(b) approving the list either in its original form or as amended by him, in which case such list shall be considered to be an approved list:

Provided, that no order disapproving or amending any list shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the list as submitted by him should be approved.

13. *Posting of list*.—The employer shall display at or near the main entrance of the factory or industrial establishment a copy in Hindi of the list approved under Rule 12.

14. *Persons authorised to impose fines*.—No fines may be imposed by any person other than an employer, or a person holding an appointment named in a list submitted under Rule 11.

15. *Procedure in imposing fines and deductions*.—Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss shall explain personally to the said person, the act or omissions damage or loss, in respect of which the fine or deduction is proposed to be imposed and the amount of the fine or deduction, which it is proposed to impose, and shall take the explanation, either orally in the presence of at least one other person or in writing as the employed person may prefer.

16. *Information to paymaster*.—The person imposing a fine or directing the making of a deduction for damage or loss, shall without unnecessary delay, inform the paymaster of all particulars so that the register prescribed in rule 3 or rule 4 may be duly completed.

#### Section 26 (3) (G)

17. *Deductions for breach of contract*—(1) No deduction for breach of contract shall be made from the wages of an employed person who is under the age of 15 years or is a woman.

(3) No deduction for breach of contract shall be made from the wages of any employed person unless—

- (a) there is a provision in writing forming part of the term of the contract of employment requiring him to give notice of the termination of his employment, and
  - (i) the period of this notice does not exceed fifteen days or the wages period whichever is less, and
  - (ii) the period of this notice does not exceed the period of notice which the employer is required to give on termination of that employment,
- (b) this rule has been displayed at or near the main entrance of the factory or industrial establishment and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made;
- (c) a notice has been displayed at or near the main entrance of the factory giving the names of the persons from whom the deductions are proposed to be made, the number of days' wages to be deducted and the conditions (if any) on which the deduction will be remitted:

Provided that where the deduction is proposed to be made from all the persons employed in any departments or sections of the factory or industrial establishment, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections, to specify the departments or sections effected.

(3) No deduction for breach of contract shall exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment,

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from any person who has complied with these conditions.

#### Section 26 (3) (I)

18. *Advances*.—(1) An advance of wages not already earned shall not without the previous permission of an inspector exceed an amount equivalent to the wages earned by the employed person during preceding two calendar months or if he has not been employed for that period twice the wages he is likely to earn during the two subsequent calendar months.

(2) The advances may be recovered in instalments by deductions from wages spread over not more than twelve months. No instalment shall exceed one-third or where the wages for any wage period are not more than twenty rupees, one-fourth of the wages for the wages period in respect of which the deduction is made.

(3) The amounts of all advances sanctioned and the repayments thereof shall be entered in a register in Form III.

#### Section 26 (3) (A)

19. *Annual Return*.—In respect of every factory or industrial establishment return shall be sent in Form IV so as to reach the Chief Inspector of Factories not later than the 15th of February following the end of the calendar year to which it relates.

#### Section 26 (3) (J)

20. *Costs*.—(1) Where the authority or the Court as the case may be directs that any cost shall not follow the event he shall state his reasons for so doing in writing.

(2) The costs which may be awarded shall include—

(a) the charges necessarily incurred on account of court fees;

(b) the charges necessarily incurred on subsistence money to witnesses, and;

(c) pleaders fee which shall ordinarily be Rs. 10/- provided that the authority of the Court as the case may be in any proceedings, may reduce the fee to a sum not less than Rs. 5/- or increase it to a sum not exceeding to Rs. 30/-.

(3) When a party engages more pleaders than one to defend a case he shall be allowed one set of costs only.

21. *Fee for copies*.—The authority or the Court as the case may be may fix fees on the payment of which any person entitled to

do so may obtain copies of any documents filed with the authority or the Courts, as the case may--

Provided that the authority or the Court as the case may be, may in consideration of the poverty of the applicant grant copies, free of cost.

#### Section 26 (3) (K)

22. *Fees.*--The Court fee payable in respect of proceedings under the Act shall be:--

- |   |  |
|---|--|
| (i) For every application to summon a witness.  | Four annas in respect of each witnesses.   |
| (ii) For every application made by or on behalf of an individual person before the Authority. | Eight annas.   |
| (iii) For every other application made by or on behalf of unpaid group before the Authority.  | Four annas for each member of the group subject to a maximum of five rupees.   |
| (iv) (a) For ever, appeal lodged with the Court.  | Two rupees and eight annas for the hundred rupees or portion thereof and eight annas for every additional hundred rupees or portion thereof, subject to a maximum of ten rupees. |
| (b) For every other miscellaneous application filed before the Court:                         | Eight annas;   |

Provided that the authority or the Court may, in consideration of the poverty of the applicant reduce or remit this fee:

Provided further that no fee shall be chargeable in respect of any application presented by an Inspector.

#### Section 26 (3) (L)

23. *Abstract.*--The abstract of the Act and of the Rules made thereunder to be displayed under section 25 shall be in Form V.

#### Section 26 (4)

24. *Penalties.*--Any breach of rules 3, 4, 5, 6, 7, 9, 16 and 19 of these Rules shall be punishable with fine which may extend to two hundred rupees.

#### GENERAL

25. *Supersession.*--These rules supersede the Rajasthan Payment of Wages Rules, 1951 and all other rules corresponding to these rules in force in the Ajmer, Abu and Sunel areas.

#### Notes.

Rajasthan Payment of Wages Rules, 1951, issued from Labour Department through Notification No F. 15(11) Lab./53 dated June 3, 1953 and published in Rajasthan Raj-patra dated July 11, 1953 stand superseded by virtue of rule 25 of the present rules.





## FORM II

( See rule 4 )

Register of deduction for damage or loss caused to the employer by the Neglect or Default of the employed persons .. .....Factory/Industrial Establishment.

S. No.	Name	Father's Name	Department	Damages of loss caused		Whether worker showed cause against deduction or not. If so, enter date	Deduction imposed		No. of instalments, if any	Amount Realised		Remarks.
				Nature. Amount	5		Date. Amount	7		Date	Amount	
1	2	3	4			6			8		9	10

## FORM III

( See rule 18 )

Register of advance made to employd persons .....Factory/Industrial Establishment.

S. No.	Name	Father's Name	Department	Date & amount of advance made		Purpose - for which advance made		No. of instalments by which advance to be repaid	Postponements granted	Date on which total amount repaid	Remarks.
				Date	Amount	Purpose	Amount				
1	2	3	4					7	8	9	10

FORM IV  
( See Rule 19 )

Wages and Deductions from Wages.

1. (a) Name of the Factory or establishment and postal address.  
(b) Industry.
2. Number of days worked during the year.

*3. (a) Average daily number of persons employed during the year.	Persons receiving less than Rs. 200	Persons receiving Rs. 200 and more but less than Rs 400
---	-------------------------------------	---

Adults .....  
Children .....

- (b) Gross amount paid as remuneration to persons getting less than Rs. 200 including deduction under Section 7 (2) ..... of which the amount due to profit sharing bonus is .....
- (c) Gross amount paid as remuneration to persons getting Rs. 200 and more but less than Rs. 400 including deductions under Section 7 (2).... of which the amount due to profit sharing bonus is..... and that due to money value of concession
4. Total wages paid including deductions under Section 7 (2) on the following accounts:—

	Persons receiving less than Rs 200	Persons receiving Rs 200 and more but less than Rs 400
--	------------------------------------	--

- (a) Basic Wages including overtime wages and non profit sharing bonus.
- (b) Dearness and other Allowance in cash.
- (c) Arrears of pay in respect—of previous year paid during the year.

Number of cases and amount realised as:—

	Persons receiving less than Rs. 200	Persons receiving Rs. 200 and more but less than Rs. 400
	No. of cases	Amount
	No. of cases	Amount

- (a) Fines.
  - (b) Deductions for damage or loss.
  - (c) Deductions for breach of contract.
  - 6. Disbursement from the fine fund.
- | Purpose. | Amount |
|----------|--------|
| (a)      |        |
| (b)      |        |
| (c)      |        |
| (d)      |        |

7. Balance of fine funds in hand at the end of the year.

Signature ....

Designation....

*Foot Note:*—The average daily number of persons is obtained by dividing the aggregate number of attendance during the year by the number of working days.

- (2) Money value of concessions should be obtained by taking the difference of the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given free or at concessional rate.

### FORM V

(See Rule 23)

Abstract of the payment of Wages Act, 1936 and the Rules made thereunder

When the Act affects.

1. The Act applies to the Payment of Wages to person in factories or Industrial Establishment receiving less than Rs 400 a month.

2. No employed person can give up by contract or agreement his rights under the Act.

#### Definition of Wages.

3. 'Wages' means all remunerations whether salary, allowances or otherwise payable to a person employed in respect of his employment of work done in such employment.

It includes:—

- (a) any remuneration payable under any award or settlement between the parties or order of a court;
- (b) any remuneration to which the person employed is entitled in respect of over-time work or holidays or any leave period;
- (c) any additional remuneration payable under the terms of employment;
- (d) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of such sum, whether with or without deductions, but

does not provide for the time within which the payment is to be made;

- (e) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force;

It excludes:—

- (1) any bonus which does not form part of the remuneration payable under the terms of employment or which is not payable under any award or settlement between the parties or order of a court;
- (2) the value of any house accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by an order of the State Government
- (3) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;
- (4) any travelling allowance or the value of any travelling concession;
- (5) any sum paid to the employed person to defray special expenses entailed by him by the nature of his employment; or
- (6) any gratuity payable on the termination of employment in cases other than those specified in sub-clause (d).

Responsibility for and method of Payment:—

4 The Paymaster is responsible for the payment under the Act, of Wages to person employed under him and any contractor employing persons is responsible for payment to the persons he employs.

5. Wages period shall be fixed for the payment of wages as intervals not exceeding one month.

6. Wages shall be paid on a working day within seven days of the end of the wage period or within ten days if 1,000 or more persons are employed.

The wages of a person discharged shall be paid not later than the second working day after his discharge.

7. Payments in kind are prohibited.

### *Fines and Deductions*

8. No deductions shall be made from wages except those authorised under the Act (See paragraphs 9 to 15 below).

9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Chief Inspector of Factories specify by a notice displayed at or near the main factory or industrial establishment and after giving the employed person an opportunity for explanation.

## (2) Fines :—

- (a) shall not exceed half an anna in the rupee.
- (b) shall not be recovered by instalments or later than sixty days on the date of imposition.
- (c) shall be recorded in a register and applied to such purposes beneficial to the employed person as are approved by the Chief Inspector of Factories.
- (d) shall not be imposed on a child.

10 (a) Deduction for absence from duty can be made only on account of the absence of the employed person at times when he should be working and such deductions must not exceed an amount which is in the same proportion to his wages for the wage period as the time he was absent in that period is to the total time he would have been at work.

(b) If ten or more employed persons acting in concern absent themselves without reasonable cause and without due notice the deduction for absence can include wages for eight day in lieu of notice but :—

- (1) no deduction for breaking a contract can be made from a person under 15 years of age or a woman;
- (2) there must be a provision in writing which forms part of the contract of employment, requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a work must be given to the employer and that wages may be deducted in lieu of such notice;
- (3) the above provision must be displayed at or near the main entrance of the factory or industrial establishment;
- (4) no deduction of this nature can be made until a notice that this deduction is to be made has been posted at or near the main entrance of the factory or industrial establishment;
- (5) no deduction must exceed the wages of the employed person for the period by which the notice he gives of leaving employment, is less than the notice he should give under his contract.

11. Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default.

Such deduction cannot exceed the amount of the damage or loss caused and can be made only after giving the employed person an opportunity for explanation.

12. Deduction can be made, equivalent to the value thereof, for house accommodation supplied by the employer or by Government or any housing board set up under any law for the time being

in force (whether the Government or the board is the employer or not) or any other authority engaged in the business of subsidising house accommodation which may be specified in this behalf by the State Government amenities or services (other than tools and raw material) supplied by the employer provided these are accepted by the employed person as a part of the term of his employment and have in the case of amenities and services been authorised by order of the State Government.

13. (a) Deductions can be made for the recovery of advances or for adjustment of over-payment of wages.

(b) Advance made before the employment began can only be recovered from the first payment of wages for a complete wage period but no recovery can be made of advances given for travelling expenses before employment began.

(c) Advances of unearned wages can be made at the paymaster's discretion during employment but must not exceed the amount of two months' wages without the permission of an inspector.

These advances can be recovered by instalments spread over not more than 12 months and the instalments must not exceed one third or if the wages are not more than Rs 20/- one-fourth of the wages for any wage period:

14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund.

15. Deductions can be made for payments to co-operative societies approved by the State Government or to the postal insurance subject to any conditions imposed by the State Government. Education can also be made with the written authorisation of the person employed for payment of any premium on his life insurance policy to the Life Insurance Corporation of India or for the purchase of securities of the Government or for being deposited in any Post Office Savings Bank in furtherance of any savings scheme of any such Government;

15 (A). Any loss of wages resulting from withholding of increment or promotion, reduction to lower post or time scale or to a lower Stage in a time scale or suspension does not constitute deduction from wages within the meaning of the Act. For this purpose the rules framed by an employer in relation to his employees in factories or Industrial Establishments for purpose of any of the aforesaid penalties shall provide that :—

- (i) any such penalty as aforesaid, except the penalty of suspension shall not be imposed unless the person concerned.
  - (a) has been informed of the charges in respect of which it is proposed to impose the penalty.
  - (b) has been given a reasonable opportunity of showing cause why the proposed penalty should be imposed.

- (ii) the person concerned is given a right of appeal against any order imposing the penalty.

### *Inspections.*

16. An Inspector can enter on any premises and can exercise powers of inspection (including examination of documents and taking of evidence) as he may deem necessary for carrying out of the purposes of the Act.

### **Complaints and deductions or delays.**

17. (1) Where irregular deductions are made from wages or delays in payment taken place, an employed person can make an application in the prescribed form within six months to the authority appointed by the State Governments for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for the delay is shown.

(2) Any legal practitioner, official of a registered trade union, Inspector under the Act or other person acting with the permission of the authority can make the complaint on behalf of an employed person.

(3) A single application may be presented by or, on behalf of any number of persons belonging to the same factory the payment of whose wages has been delayed.

### **Action by the Authority.**

18. The authority may award compensation to the employed person in addition to ordering the payment of delayed wages or the refund of illegal deductions.

If a malicious or vexation complaint is made the authority may impose a penalty not exceeding Rs. 50/- on the applicant and order that it be paid to the employer.

### **Appeal against the Authority.**

19. An appeal against an order dismissing either wholly or part an application or against a direction made by the authority may be referred within thirty days to the District Court.

- (a) by paymaster if total amount directed to be paid exceed Rs. 300/-
- (b) by an employed person or any official of a registered trade union authorised in writing to act on his behalf if the total amount of wages withheld from him or his co-workers, exceeds Rs. 50/-.
- (c) by a person directed to pay a penalty for a malicious or vexation applications.

## Punishments for Breaches of the Act.

20. Anyone delaying the payment of wages beyond the due date or making any unauthorised deductions from, is liable to fine upto Rs.500/- but only if prosecuted with the sanction of the authority or the appellate court.

21. The paymaster who :—

(1) does not fix a wage period; or

(2) makes payment in kind; or

(3) fails to display at or near the main entrance of the factory or Industrial Establishment this abstract in Hindi; or.

(4) breaks certain rules made under the Act, if liable to a fine not exceeding Rs. 200/-.

22. A complaint to this effect can be made only by the Inspector or with the sanction.

## FORM VI

Name of the Factory or Industrial Establishments .....

Name of the Department.....

Date from which wage rates will be or are in force .....

Class of description of work.	Rates of wages per unit		Allowance, if any
	Rs.	nP.	

Name of paymaster.....

Signature.....

Date .....

*Note :-* The wages rates in this form shall be shown separately for time workers and piece workers.

By Order of the Governor,  
GULAB SINGH,  
Secetary to the Government.



# The Rajasthan Payment of Wages (Procedure) Rule, 1961

Jaipur, 19th October, 1962.

No. F. 3 (19) Lab/59 —In exercise of the powers conferred by sub-section (91) of section 26 of the Payment of wages Act, 1936 ( Central Act IV of 1936 ) the Government of Rajasthan is placed to make the following rules, the same having been previously published as required by sub-section 5 of section 26 of the said Act.

*Short title.*—These rules may be called the Rajasthan payment of wages (Procedure) Rules, 1961.

2. *Definitions.*—In these rules, unless there is any thing repugnant in the subject or context:—

(a) 'Act' means the payment of Wages Act. (Central Act IV of 1936).

(b) 'Appeal' means an appeal under section 17;

(c) 'Authority' means the authority appointed under sub section (1) of section 15;

(d) 'Court' means the court mentioned in sub-section (1) of section 17;

(e) 'employer' includes the person responsible for the payment of wages under section 3;

(f) 'section' means a section of the Act;

(g) 'Form' means a form appended to these rules;

(h) "record" of order of direction means the record of an order dismissing either wholly or in part as application made under sub-section (2) of section 15 or of a direction made under sub-section (3) or sub-section of that section kept in Form E'. (i) Words and expressions used and not defined in the Act shall be deemed to have the same meaning as in the Act.

3 *Form of application* —Applications under sub section (2) of section 15 by or on behalf of on employed person or group of employed persons shall be made in duplicate in Form A Form B or Form C, as the case may be, one copy of which shall bear such court fee as may be prescribed.

4. *Authorisation.*—The authorisation to Act on behalf of an employed person or persons under section 15 shall be given by a certificate in Form D, and presented to the Authority hearing the application and shall form part of the record.

5. *Permission to appears.*—Any person desiring the permission of the Authority to act on behalf of any employed person or persons shall present to the Authority a brief written statement explaining his interest in the matter, and Authority shall record

an order the Statement, which in, the case of refusal, shall include persons for the order, and shall incorporate in the record.

6. *Presentation of documents.*—(1) Application or other documents relevant to an application may be presented in person to the Authority at any time during holds to be fixed by the Authority, or any be sent to him by registered post.

(2) The Authority shall at once endorse, or cause to be endorsed, on each document the date of the presentation of receipt, as the case may be.

7. *Refusal to entertain application*—The Authority may refuse to entertain an application presented under rule 6, if after giving the applicant an opportunity of being heard, the authority is satisfied for reasons to be recorded in writing, that—

(a) the applicant is not entitled to present an application; or

(b) the application is barred by reason of the provisions contained in the provisions to sub-section (2) of section 15; or

(c) the applicant shows no sufficient cause for making a direction under section 15.

(2) The Authority may refuse to entertain an application which is insufficiently stamped or is otherwise incomplete and he so refuses, shall return it at once with an indication of the defects. If the application is presented again after the defects have been made good, the date of representation shall be deemed to be the date of presentation, for the purpose of the provisions to sub section (2) of section 15.

8. *Appearance of parties.*—(1) If the application is entertained the authority shall call open the employer by a notice in Form E to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative falls to appear on the specified date, the Authority may proceed to hear and determine the application ex-parte.

(3) If the applicant falls to appear on the specified date, the Authority may dismiss the application:

Provided that an order passed under sub-rule (2) or sub-rule (3) may be set aside and the application reheard on good cause being shown within one month of the date of the said order, notice being served on the opposite party of the date fixed for rehearing.

9. *Record of proceedings.*—(1) The Authority shall in all cases enter the particulars indicated in Form F, and at the time of passing order shall sign and date the Form.

(2) In a case where no appeal lies, no further record shall be necessary.

(3) In a case where no appeal lies, the authority shall record the substance of the evidence and shall open it under his signature to the record of order or direction.

10. *Signature of Forms*—Any form, other than a record of order or direction, which is required by these rules to be signed by the Authority, may be signed under his direction and on his behalf by any officer sub-ordinate to him appointed by him in writing for this purpose.

11. *Exercise of powers.*—In exercising the powers of a Civil Court conferred by section 18, the Authority shall be guided respect of procedure by the relevant orders of the Schedule of the Code of Civil Procedure 1st 1908, with such alterations as the Authority may find necessary, not affecting their substance, for adopting them to the matter before him and save where they conflict with the express provision of the Act or these rules.

12. *Appeals*:—(1) An appeal shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear the prescribed court fee setting forth concisely the grounds of objection to the order dismissing either wholly or in part an application made under sub-section (3) of section 1 or a direction made under sub-section (3) or sub-section (4) of that section as the case may be, and shall be accompanied by certified copy of the said order or direction."

(2) When an appeal is lodged, a notice shall issue to the respondent in Form G.

(3) The court after hearing the parties and after such further inquiry if any, as it may deem necessary, may confirm very or set aside the order or direction from which the appeal is preferred, and shall make an order accordingly.

13. *Inspection of documents*:—Any employed person, or any employer or his representative, or any person permitted under sub-section (2) of section 15 to apply for a direction shall be entitled to inspect any application memorandum of appeal or any other document filed with the Authority or the Court, as the case may be, in a case to which he is a party, and may obtain copies thereof on payment of such fees as may be prescribed.

## FORM A.

### FORM OF INDIVIDUAL APPLICATION

(See sub-section (2) of Section 15) of the payment of Wages Act)

In the Court of the Authority appointed under the payment of Wages Act (Central Act IV of 1936), for.....areas.  
Application No.....of 19

Between A, B, C.....Applicant.

which is a registered trade union)  
and X, Y, Z ... .. opposite party.  
The applicant states as follows:—

1. A, B, C, is a person employed <sup>in</sup> ~~on~~ the  
Factory  
Railway entitled.

The address of the applicant for the service of all notice and processes is... ..

3. (1) The applicant's wages have not been paid for the following wages period (s) (given dates)

Or a sum of Rs ... .. has been unlawfully deducted from his wages of .. .. (amount) for the wage period (s) which ended on (Give date (s))

(2) (Here give any further claim or explanation).

4. The applicant estimates the value of the relief sought by him at a sum of rupees:

5. The applicant prays that a direction may be issued under sub-section (3) of section 15 for:-

(a) payment of his delayed wages as estimated or such greater or lesser amount as the Authority may find to be due, or refund of the amount illegally deducted, and

(b) payment of compensation amounting ... ..

The applicant certified that the statements of facts contained in this application is to the best of his knowledge and belief accurate.

Signature of thumb impression of  
the employed person or legal prac-  
titioner or official of a registered  
Trade Union duly authorised.

## FORM 'B'

# FORM OF GROUP APPLICATION

(See sub section (2) of section 15 and section 16 of the  
payment of Wages Act).

In the court of Authority appointed under the payment of Wages Act (Central Act of 1936) for area.

Application No. \_\_\_\_\_ of 19 \_\_\_\_\_  
 Between A. B. C. and (State the number) other applicant (s).  
 (Through..... A legal Practitioner  
 an official of

which is a registered trade union)

And X. Y. Z ... .. opposite party.

The applicants state as follows:—

1. The applicant whose names and permanent address is  
 in

appear in the attached schedule are person employed—the

on  
Factory entitled

Railway.

Industrial estab'ishment.

The address of the applicant's for service of all notices and processes is:—

2. X. Y. Z, the opposite party, is the person responsible for the payment of wages under section 3 of Act and his address for the service of all notices and processes is.....

3. The applicant's wages have not been paid for the following period (s :—

4. The applicants estimate the value of the relief sought by them at sum of rupees ... ..

5. The applicants party that a direction may be issued under a sub-section (3) of section 15 for... ..

(a) Payment of the applicants delayed wages as estimated or such greater or lesser amount as the Authority may find to be due.

(b) Compensation amounting to ... ..

The Applicants certify that the statement of the facts contained in this application is to the best of their knowledge and belief accurate.

Signature or thumb impression of the applicants, or egar practitioner, or an official of registered Trade Union duly authorised.

### SCHEDULE

S No.	Name of applicant.	Permanent address.
1.	2	3
1.		
2.		
3.		
4.		
5.		
6.		

## FORM C.

# FORM OF APPLICATION BY AN INSPECTOR OR PERSON PERMITTED BY THE AUTHORITY OR AUTHORISED TO ACT

(See sub-section (2) of section 15 and section 16 of the payment of Wage Act).

In the court of the Authority appointed under the payment of wages Act ... .. of 19 ..area  
Application No.

Between A.B.C. Designation . . . . . an Inspector under  
the payment of Wages Act, (for a person permitted by the authority  
authorised  
to act under sub-section (2) of section 15)

and X Y.Z. . . . . applicant  
the opposite party

The applicant states as follows—

1. X.Y Z, the opposite party is the person responsible under the Act for the payment of wages to the following person (a)

(1).

(2).

(3).

"

"

2. His address for the service of all notices and processes is:—

3 The Wages of the said person, whose names and permanent address are given below, due in respect of the following wage period.

(S) have not been paid

Have been subjected to the following illegal deductions.

4. The applicant estimates the value of the relief sought for the persons employed at the sum of Rs. ....

5. The applicant prays that a direction may be issued under sub-section (3) of section 15 for.

(a) payment of the delayed wages is estimated or such greater or such lesser amount as the Authority may find to be due or refund of the amount illegally deducted.

(b) payment of compensation amounting to....

The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate.

SIGNATURE

## FORM D.

## Certificate of Authorisation.

A legal practitioner

I/We employed person (s) hereby authorise -----  
 an official of which is  
 a registered trade union .... /to act on my/our behalf under sec-  
 tion 15 and section 17 of the payment of Wages Act, (IV of '30) in  
 respect of the claim against ... .. on amount of  
 delay in payment of my/our

illegal deductions from

Wag's for ... ..

Witnesses

(1)

(2)

(3)

(4)

Signatures

(1)

(2)

(3)

(4)

accept the authorisation.

Signature

Legal Practitioner

-----  
 official of a registered trade  
 union.

## FORM E

## NOTICE FOR THE DISPOSAL OF APPLICATION.

To,

Whereas under the Payment of Wages Act, (1936 central Act of 1936) a claim against you has been presented to me in the application of which a copy is enclosed, you are hereby called upon to appear before me either in person, or by any person duly instructed and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer a such question... .. on the day of ... .. 19..... at ..... o'clock in the fore/after noon to answer the claim and as the day fixed for your appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which, you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence.

Given under my hand and seal, this day

19

Seal

Authority.

## FORM F

## RECORD OF ORDER OF DIRECTION.

(1) Serial number.....

(2) Dated of the application.....

- (3) Name or names, perentage, address or addresses of the applicants, or soms, or all of the applicants belonging to the some unpaid group :—
  - (4) Name and address of the employer....
  - (5) Amount claimed .....
    - (a) as delayed wages Rs ... ..
    - (b) as deducted from wages Rs.....
  - (6) Plea of the employer and his examination (if any) :—
  - (7) Finding and a brief statement of the reason therefor
  - (8) Amounts awarded :—
    - (a) Delayed wages..... Rs.....
    - (b) Deducted wages..... Rs.....
  - (9) Compensation awarded..... Rs.....
  - (10) Penalty imposed ..... Rs.....
  - (11) Costs awarded to :—
    - (i) Court fee charges..... Rs .....
    - (ii) Pleader's fee.... .. Rs .....
    - witnesses expenses... .. Rs .....
- Signed . .....  
dated.....

Note: In cases where an appeal lies attach on a separate sheet, the substance of the evidence.

### FORM G.

## NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL UNDER SECTION 17 OF THE PAYMENT OF WAGES ACT, 1936.

Appeal from the decision of the Authority for the.....  
are, dated the .....day of..... 19 ....  
To

Respondent.

Take notice that an appeal of which a copy is enclosed, from the decision of the Authority for ... .. area has been presented by X.Y.Z. (and others), and registered in this Court, and that the... day of 19.... ..has been fixed by this Court for the hearing of this appeal.

If no appearance is made on your behalf by yourself or by some one by law authorised to act for you in this appeal, it will be heard and decided in your absense.

Given under my hand and the seal of the Court, this day of 19.

Seal of the Court.

Judge  
By Order of the Governor,  
(Sd/- (S.P. Singh Bhandari)  
Secretary to the Government.



# PAYMENT OF WAGES ACT, 1936

Labour & Employment Department.

Jaipur, July 20, 1965

Notification No. F. 3 (19) L&E/64.—In pursuance of clause (ii) of sub-section (2) of section 7 and in exercise of the powers conferred by sub-section (2) (3) and (5) of section 26 of the Payment of Wages Act, 1936 (Central Act IV of 1936), the same having been previously published in the Rajasthan Gazette, Part IV-C, dated the 5th December, 1963, as required by sub-section (5) of the said section 26, namely:—

1. *Short title, extent and application.*—(1) These rules may be called the Rajasthan Payment of Wages (Deduction for National Defence Fund and Defence Savings Scheme) Rules, 1964.

(2) These rules shall apply to persons employed in factories and industrial establishments in this State.

2. *Definitions.*—In these rules:

(a) 'Act' means the Payment of Wages Act, 1936 (Central Act IV of 1936).

(b) 'section' means a section of the Act.

3. *Conditions for making deductions.*—The conditions for making deductions in pursuance of clause (ii) of sub-section (2) of section 7 of the Act from the Wages of the persons employed in any factory or industrial establishments in this State for contribution to the National Defence Fund or to any Defence Savings Scheme approved by the State Government with the written authorities of the President or Secretary of the registered trade union of which the employed person is a member shall be as follows:—

(a) the President or, in his absence, the Secretary of such trade union shall forward,

(i) in duplicate to the employer, a copy of the list of the employed persons who are members of the trade union indicating therein the amount of extent of deductions which are to be made from the wages of each employed person, and a copy of the resolution adopted at a meeting of such trade union authorising such deductions; and

(ii) a copy of the said list and resolution to the person who acts as an Inspector for the purposes of the Act;

(b) the employer shall display in a conspicuous place of the establishment one of the two copies of the said list and resolution received from the President or Secretary; as the case may be of the trade union for at least a period of three consecutive days immediately preceding the day on which the deductions are to be made from wages of the employed persons; and

(c) if an employed person objects in writing to deductions being made from his wages up to the amount of extent deduction indicated in the list displayed by the employer, no deductions shall be made from his wages except in accordance with the written authorisation of such employed person.

[Pub. in Raj. Gaz. 4(Ga)--Dt. 2-12-65--Page443]

*Notifications under*

**PAYMENT OF WAGES ACT, 1936.**

*Published in Raj. Raj-patra Vol. 1 No. 39 Dated 29-7-50 part I at page 295.*

Department of Labour.

**NOTIFICATION.**

Jaipur, June 20, 1950.

*No. 1490/Lab.*—In exercise of the powers conferred by sub-section (1) of section 8 of the Payment of Wages Act, 1936 (IV of 1936), as adapted by the Rajasthan Central Laws Adaptation Ordinance, 1950, the Government of Rajasthan is pleased to approve the following list of acts and omissions in respect of which fines may be imposed on persons employed in factories, mines and quarries in Rajasthan subject to the Conditions and limitations prescribed by sub-section (2) to (7) of section 8 of the said Act.

**List of Acts and Omissions.**

1. Late attendance and absence from duty without leave without sufficient cause
2. Damage to an employer's goods and property caused by neglect, careless conduct or wilful destructions on the part of an employed person.
3. Insubordination, malingering, deliberate, delaying of production and disobedience of orders.
4. Failure to wear tight fitting clothing provided by the management or to observe safety instructions, unauthorised removal or damage to machinery guards, fencing and other safety devices.
5. Conduct on part of an employed person tending to cause a breach of the peace and conduct which endangers the lives or safety of other persons in the factory.
6. Expectorating or otherwise committing a nuisance on the factory premises.
7. Breach of any rules or instructions for the maintenance and running of any department and maintaining its cleanliness.
8. Theft, fraud, or dishonesty.
9. Sleeping on duty and smoking in prohibited places.

By Order of H. H. the Raj Pramukh,  
R. N. DEY,

Secretary to the Government of  
Rajasthan, Labour Department.

*Published in Raj. Raj-patra Vol. 2 No. 34 Dated 15-7-50 part I at page 258.*

Department of Labour.

# NOTIFICATION.

Jaipur, July 7, 1950.

*No. 1490/Lab.*—In exercise of the powers conferred by clause (e) of sub section (2) of section 7, read with section 11 of the Payment of Wages Act, 1936 (IV of 1936), as adapted by the Rajasthan Adaptation of Central Laws Ordinance. 1950, the Government of Rajasthan is authorise deductions to be made from the wages of persons employed in factories, mines and quarries situated in Rajasthan, to cover the cost of stamp duty on receipts for wages leviable under the stamp law if such stamp for the receipt was supplied by the employers.

By Order of

His Highness the Raj Pramukh,  
R. N. DEY,

Secretary to the Government of  
Rajasthan, Labour Department.

*Published in Raj. Raj-patra Vol. 2 No. 43 Dated 12-8-50 part I at page 345:*

Jaipur, August 4, 1950.

*No. 1514/Lab/(iv)*—In exercise of the powers conferred by sub section (1) of Section 15 of the Payment of Wages Act 1936 of the Central Legislation as adapted by the Rajasthan Adaptation of Central Laws Ordinance 1950, the Government of Rajasthan is pleased to appoint the Labour Commissioner for Workmen's Compensation Rajasthan to be the authority to hear and decide all claims arising out of deductions from the Wages, or delay in payment of the Wages, of persons employed or paid in Rajasthan.

G. R. JOSHI,

Secretary to the  
Government of Rajasthan,  
Labour Department.

*Published in Raj. Raj-patra Vol. 3 part I at page 700.*

Jaipur, November 2, 1951.

*No. 1514./Lab.*—In exercise of the powers conferred by sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), the Government of Rajasthan is pleased to appoint the Labour Commissioner in Rajasthan to be the authority to hear and decide all claims arising out of deductions from the wages, or delay in payment of the wages, of persons employed or paid in Rajasthan.

*Published in Raj. Raj-patra Vol. 3 No. 135 Dated 5-1-52 part I at page 834;*

Labour Department.

# NOTIFICATION.

Jaipur, December 3, 1951.

*No. 3423/Lab.*—In exercise of the powers conferred by clause (e) of sub-section (2) of section 7 of the Payment of Wages Act,

1936 (IV of 1936), the Government of Rajasthan is pleased to authorize that deductions may be made from the wages of persons employed in factories situated in Rajasthan for such amenities or service as are mentioned in the following Schedule:

Provided that any such deductions shall be subject to the requirements of section 11 of the said Act being complied with and shall be further subject to such conditions as the Government may hereafter impose.

### SCHEDULE.

(1) Payment for stores, provisions, fuel, goods and materials (other than tools or raw materials required for the purpose of employment) voluntarily purchased at concessional rates.

(2) Charges for conveyance service to and from a factory at reasonable rates approved by the Chief Inspector of Factories and Boilers, Rajasthan, Jaipur, subject to the condition that each individual worker to whom the amenity or service is supplied authorizes in writing the making of such deductions.

(3) Cost of sweets, and cooked food supplied from Canteens run by the mill management at rates not higher than the prevailing local rates, which must be displayed in the canteen, provided (i) that such deduction does not exceed the 25 per cent of the total earning for the wage period; (ii) that it is made subject to the same condition as mentioned in item (2) above and (iii) that cash value of the coupons is surrendered to the worker whenever required by him.

(4) Premium for Life Assurance from the wages of workers for the wage period provided that the assurance scheme is managed by the employer, is registered under the Insurance Act, 1938, and has previously been approved by the Chief Inspector of Factories and Boilers, Rajasthan and that the deductions made subject to the same condition as mentioned in item (2) above.

(5) Cost of stamp duty on receipts for wages leviable under article 53 of the First Schedule of the Indian Stamp Act, 1899, (II of 1899), if such stamp for the receipt was supplied by the employer.

(6) Cost of the supply of food grain to their employees from a grain shop or store operated by the management of a factory, subject to the condition that the grain is supplied to the employed person at his own wish and that the deductions so made from the monthly wages of any employed person shall not in any one month exceed 50 per cent thereof.

By Order of  
His Highness the Rajpramukh,  
CHANDRA PAL SINGH,  
Secretary to the Government.

*Published in Raj. Raj-patra Vol. 3 No. 183 Dated 22-7-52 part I at page 1166.*

Government of India Ministry of Labour.

### NOTIFICATION

New Delhi, January 10, 1952.

*No. Fac. 61 (60).*—In exercise of the powers conferred by section 24 read with sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby appoints the officer or officers appointed from time to time by the Government of Rajasthan under sub-section (1) of section 15 of the said Act as the authority or authorities to hear and decide, within any area, all claims arising out of deductions from the wages or delay in payment of wages of persons employed or paid within such area, to be the authority or authorities to hear and decide such claims in respect of persons employed or paid within that area by a Railway administration.

S. NEELKANTAM,  
Deputy Secretary.

*Published in Rajasthan Raj-patra Dated April 4, 1953 part I at page 13*

Jaipur, April 2, 1953.

*No. F. 15 (7) Lab/52-53.*—In exercise of the powers conferred by sub-section (1) of section 15 of the payment of Wages Act, 1936 (IV of 1936) the Government of Rajasthan is pleased to appoint the District Magistrates, by virtue of their office, to be the authority to hear and decide all claims arising out of deductions from wages or delay in payment of the wages of persons employed or paid in the area within their respective jurisdiction.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated June 4, 1953 part I (a) at page 59:*

### NOTIFICATION

Jaipur, May 23, 1955.

*No. F. 15 (10) Lab/53-54.*—In exercise of the powers conferred by sub-section (1) of section 15 of the Payment of Wages Act, 1936 (Act No. IV of 1936) and in supersession of Government Notification No. F. 15 (7) Lab./52-53 dated 2nd April, 1952, the Government of Rajasthan is pleased to appoint all the District Magistrates, Sub-Divisional Magistrates and City Magistrates, by virtue of their office to be the authorities to hear and decide all claims arising out of deductions from wages or delay in payment of wages of persons employed or paid within their respective jurisdictions.

By Order of  
His Highness the Rajpramukh,  
G. L. MEHTA,  
Secretary to the Government

Published in Raj. Raj-patra Dated February 4, 1956 part I (a) at page 298.

English Translation

[Authorised by His Highness the Rajpramukh]

# NOTIFICATION

Jaipur, January 18, 1956.

No. F. 15 (10) Lab./53-54.—In exercise of the powers conferred by sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936) and in continuation of Labour Department Notification of even number dated the 23rd May, 1955, the Government of Rajasthan hereby appoints all Railway Magistrates (appointed under Judicial Department Notification No. F. 1 (10) Jud./54 dated the 24th March, 1955 and published in the Rajasthan Gazette Part I dated the 23rd April, 1955) by virtue of their office, also to be the authorities to hear and decide all claims arising out of deductions from wages or delay in payment of wages of persons employed or paid within their respective jurisdiction. By Order of

His Highness the Rajpramukh,

R. N. HAWA,

Secretary to the Government.

Published in Raj. Raj-patra Dated August 1, 1957 part I (b) at page 188.

Labour Department

# NOTIFICATIONS

Jaipur, July 17, 1957.

No. 1/36/57-Lab.—In exercise of the powers conferred under sub-section (3) of section 14 of the Payment of Wages Act, 1936 (IV of 1936) the Govt. of Rajasthan is pleased to appoint the officers specified in column (1) of the schedule thereto annexed as Inspectors for the purpose of the said Act for employment in factories and other industrial establishments to which the aforesaid Act is applicable within the local limits specified in the corresponding entries in column (2) thereof.

## SCHEDULE

Designation of Officers	Territorial jurisdiction
1	2
1. Labour Commissioner, Rajasthan, Jaipur	Whole of Rajasthan State.
2. Assistant Labour Commissioner, (Admn. and Lab. Laws) with headquarters at Jaipur.	-do-
District & Divisional Staff.	
1. Conciliation Officer, Jaipur	Ajmer Division excluding Ajmer District.
2. „ „ Bhilwara	Udaipur Division,
3. „ „ Bikaner	Bikaner Division.
4. „ „ Kota	Kota Division.
5. „ „ Jodhpur.	Jodhpur Division.
6. „ „ Ajmer.	Ajmer District.

*Published in Rajasthan Raj-patra Dated July 8, 1957 part IV (c) at page 47.*

Labour Department

# NOTIFICATION

Jaipur, July 8, 1957.

*No. F. 1 (57) Lab /57.*—In exercise of the powers conferred by sub-section (1) of section 15 of the payment of Wages Act 1936 (IV of 1936) the Government of Rajasthan is pleased to appoint the Sub-Divisional Magistrates, City Magistrate, Ajmer, Tehsildars (Ex-officio) and District Magistrate of the district of Ajmer in their respective jurisdiction and District Magistrate Sirohi, Sub Divisional Magistrate, Mount Abu and Tehsildar ABU ROAD (Ex-officio) for Abu Road and District Magistrate, Jhalawar and Naib-Tehsildar (Ex-officio) for Sunel Tappa by virtue of their office, to be the authority to hear and decide all claims arising out of deductions from wages, or delay in the payment of wages of persons employed or paid in the area within their respective jurisdiction.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

*Published in Raj. Raj-patra Dated April 11, 1957 part IV (c) at page 9.*

Industries (C) Department (Labour Department).

# NOTIFICATION

Jaipur, March 20, 1957.

*No. F. 1/23/LAB/57.*—In exercise of the powers conferred under sub-section (3) of section 14 of the Payment of Wages Act, 1936 (IV of 1936), the Government of Rajasthan is pleased to appoint the following Minimum Wages Inspectors to act as ex-officio Inspectors under the payment of Wages Act, 1936, for purposes of the said Act for employment in factories and other Industrial establishments, to which the aforesaid Act is applicable, within the Local limits mentioned against each:—

- |    |                          |          |   |
|----|--------------------------|----------|---|
| 1. | Minimum Wages Inspector, | Bikaner, | Bikaner Division.                             |
| 2. | "                        | "        | Jaipur, Ajmer Division except Ajmer District. |
| 3. | "                        | "        | Jodhpur, Jodhpur Division.                    |
| 4. | "                        | "        | Kota Kota Division.                           |
| 5. | "                        | "        | Bhilwara Udaipur Division.                    |
| 6. | "                        | "        | Ajmer Ajmer District.                         |

By Order of the Governor,

A. K. ROY,

Secretary to the Government.



*Published in Raj. Raj-patra Dated June 26, 1958 part IV (c) at page 551:*

Industries (C) Department

(Labour Section)

### NOTIFICATION

Jaipur, June 11, 1958.

No. D. 3134/F.3 (4) Lab/56.—In exercise of the powers conferred by sub-section (3) of section 14 of the Payment of Wages Act, 1936, (Central Act No. IV of 1936), the Government of Rajasthan is pleased to appoint the Labour Inspector, Beawar, by virtue of his office to be an Inspector for the purposes of the said Act in respect of all classes of factories and Industrial establishments in the Ajmer District.

By Order to the Governor,  
A. K. ROY,  
Secretary to the Government.

*Notifications under*

**PAYMENT OF WAGES ACT, 1936.**

*Published in Raj. Raj-patra part IV(c) dated June 15, 1961 at page 120 :*

Labour Department

**NOTIFICATION**

*Jaipur, May 22, 1961.*

No. F. 3 (27) Lab./60/2076.—In supersession to this Department Notification No. F. 3 (4)/Lab./58, dated 6th June, 1959 and in pursuance of Explanation II to section 7 of the Payment of Wages Act, 1936 (Act No. IV of 1936), the Government of Rajasthan hereby specify the following requirements with which the rules framed by the employers in relation to the employees employed in their factories and Industrial Establishments as defined under section 2 (i) and 2 (ii) of the said Act, for the imposition of any of the penalties specified in clauses (i) and (ii) of that Explanation, shall confirm, namely:—

All such Rules provide that:—

(i) any such penalty as aforesaid, except the penalty of suspension and penalty of stoppage of increment at an efficiency bar, shall not be imposed unless the person concerned—

(a) has been informed in writing of the charges in respect of which it is proposed to impose the penalty,

(b) has been given a reasonable opportunity of showing cause against the action proposed to be taken against him,

(ii) the person concerned is given a right of appeal against any order imposing the penalty.

By Order of the Governor,

GULAB SINGH,

Deputy Secretary to Government.

*Published in Raj. Raj-patra part IV (c) Dated January 25, 1962 at page 589 :*

Labour Department

**NOTIFICATION**

*Jaipur, December 8, 1961.*

No. F. 3 (96) Lab./61.—In pursuance of Explanation II to section 7 of the Payment of Wages Act, 1936 (Act No IV of 1936) and in supersession to this Department Notification No. F. 3 (27) Lab./60/2076, dated 22-5-61 the State Government hereby specifies the following requirements to which the rules framed by the employers in relation to the employees employed in their factories and industrial establishments as defined under section 2 (i) and (ii) of that Explanation, shall confirm, namely:—

1. (a) All such Rules shall provide that:—

the penalty of reduction to a lower post or time scale or to a lower stage in a time-scale shall be imposed only after an inquiry held as far as may be, in the manner hereinafter, provided:—

(i) definite charges shall be framed and served in writing, on the person concerned who will be required to submit, within such time as may be specified, a written statement and also to state whether he desires to be heard in person;

- (ii) for the purpose preparation of his defence the person concerned shall be permitted to inspect and to take extracts from such records as he may specify provided that such permission may be refused if, for reasons to be recorded in writing such records are relevant for the purposes;
- (iii) the charges as are not admitted shall be inquired into and the appeal is heard and disposed of by an higher than the authority which imposed the penalty;
- (iv) the person concerned may present his case with the assistance of any other person approved by the enquiring authority;
- (v) such documentary evidence, as may be necessary shall be considered oral evidence as may be relevant or material shall be taken and cross examination shall be permitted;
- (vi) the report of the inquiry and the findings on each of the charges with reasons therefor shall be prepared;
- (vii) the report of the inquiry shall be considered and findings on each charge shall be recorded;
- (viii) the person concerned shall be supplied with the report and the findings;
- (ix) the person concerned shall be given a notice stating the action proposed to be taken and calling upon him to submit within a specified time, such representation as he may wish to make against the proposed action; and
- (x) appropriate orders shall be passed and communicated to the person concerned in writing.

(b) the penalty of withholding of increment or promotion but excluding the penalty of stoppage of increment at an efficiency bar shall be imposed only after the person concerned has been informed in writing of the proposed action together with the allegations and given an opportunity to make any representation that he may wish to make.

(c) the person concerned is given a right of appeal against order imposing any of the penalties mentioned in 1 (a) and (b) above, and the appeal is heard and disposed of by any authority higher than the authority which imposed the penalty;

(2) All such orders shall also specify the person or persons empowered to impose any of the penalties mentioned in clause (a) and (b) of paragraph 1 and the person or persons empowered to hear and dispose of an appeal under clause (c) of that paragraph.

By Order of the Governor,  
D. GOSWAMI,  
Deputy Secretary to the Government.

Published in Raj. Raj-patra part I (b) Dated May 3, 1962 at page 9 :

Labour Department

### NOTIFICATION

Jaipur, April 20, 1962.

No. F. 3 (19)/Lab/59.—In exercise of the powers conferred by sub-section (5) of section 1 of the Payment of Wages Act, 1936 (IV of 1936), as amended by the Payment of Wages (Amendment) Act of 57 (68 of 1957) and is continuation of this Department Notification No. F. 3 (73)/Lab./58 dated the 19th January, 1959 published in the Rajasthan Raj-patra dated the 5th February, 1959, Part I-B the State Government, does hereby extend the provisions of the said Act to persons employed in the following classes of industrial establishments, namely:—

(i) Workshop or other establishment in which articles are produced, adopted or manufactured with a view to their use transport or sale; and

(ii) Establishment in which any work relating to the construction development or maintenance of Building Roads, bridges or canals, or relating to operations connected with navigation, irrigation or the supply of water or relating to the generation, transmission and distribution of electricity or any other form of power is being carried on.

By Order of the Governor,  
D. GOSWAMI  
Deputy Secretary to Government.

*Published in Raj. Raj-patra part I (b) dated September 6, 1962 at page 77 :*

Labour Department

### ORDER

*Jaipur, August 8, 1962.*

No. F. 3 (8) Lab./62/3354.—In exercise of the powers conferred by clause (c) of sub-section (2) of section 7 of the Payment of wages Act, 1936 (Central Act 3 of 1936) read with section 11 thereof, the State Government hereby authorises deductions from the wages of an employed persons for the transport service amenity supplied by the employer to the employed persons or the members of their families subject to the conditions specified below, namely:—

(1) the authority under this orders shall be exercised after obtaining previous approval in writing of the Chief Inspector of Factories and Boilers in respect of the deductions to be made and the maximum rates of deductions so made shall not exceed the rates thus approved;

(2) the employer shall maintain a record of such deductions, which shall be open to inspection at all reasonable times by the employed persons or Chief Inspector of Factories; and

(3) no deduction shall be made from the wages of an employed person, unless he consents in writing thereto.

By Order of the Governor,  
G. L. MEHTA,  
Secretary to the Government.

## *Notifications under*

### PAYMENT OF WAGES ACT, 1936

Labour Department

#### NOTIFICATION

Jaipur, March 6, 19 3.

No. F. 3 (8) Lab./62 —In pursuance of clause (ii) of sub-section (2) of section 7 of the Payment of Wages Act, 1936 (central Act 4 of 1936), as amended by sub-section (3) of section 6 of the Defence of India Act, 1962 (Central Act 51 of 1962), the State Government hereby approves the following Defence Savings Schemes for making deductions for contributions to such schemes from the wages of the employed persons, namely:—

1. National Defence Certificates.
2. Defence Deposit Certificates.
3. Cumulative Time Deposits.
4. Premium Prize Bonds, 1963.

By Order of the Governor,  
S. P SINGH BHANDARI,  
Secretary to the Government

[Pub. in Raj. Gaz. 4 (Ga) Dt. 9-6-63-Page 1 ]

Notification No. F. 3 (8) Lab./62.—In exercise of the powers conferred by clause (e) of sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act V of 1936) read with section 11 thereof the State Government hereby authorises the deduction from the wages of an employed person for the following amenities and services supplied by the employer, namely:—

Supplies of essential commodities from the fair price shops maintained by the employer for the benefit of employees.

The deductions from wages are allowed subject to the following conditions :—

- (i) the employed person accepts the aforesaid amenity or service as a term of employment or otherwise;
- (ii) the approval of the Chief Inspector of Factories and Boilers, Rajasthan, Jaipur shall be obtained in writing to such deductions;
- (iii) the maximum deductions shall not exceed half of the wages at any period;
- (iv) records shall be kept for such deductions which shall be open to inspection; and
- (v) records shall be reserved for at least 3 years.

[Published in Rajasthan Gazette Part IV (Ga)-dated 2-7-1964.]

## Labour &amp; Employment Department

Jaipur, August 9, 1965.

Notification No. F. 9 (1) (55) Lab./63.—In exercise of the powers conferred by sub-section (3) of section 14 of the Payment of Wages Act, 1936 (Central Act 4 of 1936), and in suppresion of the notification No. F. 1 (36) Lab./57 dated the 17th July, 1957, F. 1 (23) Lab./57 dated the 20th March, 1957, and D. No. 3134/F. 3(4) Lab./ 56 dated the 11th June, 1958 issued in this behalf, the State Government hereby appoints the following to be the Inspectors for the purposes of the said Act in respect of all industrial establishments and for the areas specified against each, namely:-

S. No. 1	Designation 2	Jurisdiction. 3
1.	Labour Officer, Bharatpur.	For Sawaimadhopur, Alwar and Bharatpur Districts.
2.	Labour Officer, Ajmer.	For Ajmer, Sikar and Jhunjhunu Districts.
3.	Labour Officer, Bikaner.	For Bikaner, Churu and Sriganganagar Districts.
4.	Labour Officer, Udaipur.	For Udaipur, Banswara and Dungarpur Districts.
5.	Labour Officer, Bhilwara.	For Bhilwara and Chittorgarh Districts.
6.	Labour Inspector, Jaipur-I	For Jaipur City.
7.	Labour Inspector, Jaipur-II	For Jaipur District excluding Jaipur City.
8.	Labour Inspector, Tonk.	For Tonk District.
9.	Labour Inspector, Bharatpur.	For Bharatpur District.
10.	Labour Inspector, Sawaimadhopur.	For Sawaimadhopur District.
11.	Labour Inspector, Alwar.	For Alwar District.
12.	Labour Inspector, Beawar.	For Beawar Sub-Division.
13.	Labour Inspector, Ajmer.	For Ajmer District excluding Beawar Sub-Division.
14.	Labour Inspector, Sikar.	For Sikar and Jhunjhunu Districts.
15.	Labour Inspector, Jodhpur-I	For Jodhpur City.
16.	Labour Inspector, Jodhpur-II	For Jodhpur & Jaisalmer Districts. excluding Jodhpur City.
17.	Labour Inspector Nagaur.	For Nagaur District.
18.	Labour Inspector, Pali.	For Pali and Barmer Districts.
19.	Labour Inspector, Jalore.	For Jalore and Sirohi Districts.
20.	Labour Inspector, Bikaner.	For Bikaner and Churu Districts.
21.	Labour Inspector, Sriganganagar.	For Sriganganagar District.
22.	Labour Inspector, Kota-I	For Kota City.
23.	Labour Inspector, Kota-II	For Kota District excluding Kota City.

1	2	3
24.	Labour Inspector, Bundi	For Bundi District.
25.	Labour Inspector, Jhalawar.	For Jhalawar District.
26.	Labour Inspector, Udaipur.	For Udaipur District.
27.	Labour Inspector, Dungarpur.	For Banswara & Dungarpur Distts.
28.	Labour Inspector, Bhilwara.	For Bhilwara District.
29.	Labour Inspector, Chittorgarh.	For Chittorgarh District.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 11-11-65—Page 388]

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*Rules and Notifications under*

PETROLEUM ACT, 1934  
( CENTRAL ACT No. 30 OF 1934 )

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*Notifications under*

**PETROLEUM ACT, 1934.**

*Published in Raj. Raj-patra Vol. 2 No. 14 Dated 6-5-50 part 1 at page 71.*

Police Department.

**NOTIFICATION**

Jaipur, April 26, 1950.

No. F. 11 (14) Police-III/50.—The Government of Rajasthan is pleased to appoint with immediate effect the Inspector-General of Police, Rajasthan as the Chief Inspector of Explosives in Rajasthan for the purposes of the Petroleum Act 1934, of the Central Legislature and of the rules there under as adapted to Rajasthan by the Rajasthan Petroleum Ordinance, 1949 (No. XXX of 1949).

By Order,

K. RADHAKRISHNAN,  
Chief Secretary the Government  
of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 No. 87 Dated 12-12-50 part 1 at page 659;*

**NOTIFICATIONS.**

Jaipur, November 25, 1950.

No. F. 11 (14) Police-III/50.—In pursuance of section 30 (1) of the Petroleum Act, 1934 (XXX of 1934), as adapted to Rajasthan by the Rajasthan Petroleum Ordinance, 1949, the Government of Rajasthan is pleased to apply the provisions of the said Act to the storage and transport of cinematograph films having a nitrocellulose base.

Jaipur, November 25, 1950.

No. F. 11 (14) Police-III/50.—In pursuance of section 30 (1) of the Petroleum Act, 1934 (XXX of 1934), as adapted to Rajasthan, by the Rajasthan Petroleum Ordinance, 1949, the Government of Rajasthan is pleased to apply the provisions of the said Act to carbide of calcium.

By Order of

His Highness the Raj Pramu'kh,  
K. RADHAKRISHNAN,  
Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 part 1 at page 729:*

Police Department.

**PUBLIC NOTICES.**

Jaipur, December 21, 1950,

No. F-11 (14) Police-III/50.—It is hereby notified for general information that by virtue of (a) the application of the provisions of the Petroleum Act, 1934, as adapted to Rajasthan, to the storage

and transport of cinematograph films under notification No. F-11 (14) Police-III/50, dated November 25, 1950, published on page 659 of Part I of the Rajasthan Gazette, dated December 2, 1950, and (b) the provisions of sub-section (2) of section 5 of the Rajasthan Petroleum Ordinance, 1949, the Cinematograph Film Rules, 1948, of the Central Government also apply to Rajasthan.

Jaipur, December 21, 1950.

No. F-11 (14)/(3) Police-III/50.—It is hereby notified for general information that by virtue of (a) the application of the provisions of Petroleum Act, 1934, as adapted to Rajasthan, to the carbide of calcium under notification No. F-11 (14) Police III/50, dated November 25, 1950, published on page 659 of Part I of the Rajasthan Gazette, dated December 2, 1950, and (b) the provisions of sub-section (2) of section 5 of the Rajasthan Petroleum Ordinance, 1949, the Carbide of Calcium Rules, 1937 of the Central Government also apply to Rajasthan.

K. RADHAKRISHNAN,  
Chief Secretary to the Government  
of Rajasthan.

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*Rules and Notifications under*

PHARMACY ACT, 1948.

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*Notification under*

**PHARMACY ACT, 1948**

**Notification No. F. 2 (8) (1) MPH/59/Pt. I.—**In pursuance of subsection (3) of section 1 of the Pharmacy Act, 1948, the State Government hereby appoints 1-9-64 as the date from which Chapters III, IV and V of the said Act shall take effect in the State of Rajasthan.

[Published in Rajasthan Gazette Extraordinary Part IV (Ga) Dt. 1-9-64].

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*Rules and Notifications under*  
**PILGRIMS SHIP RULES, 1933**

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*Notifications under*

**PILGRIMS SHIP RULES, 1933.**

*Published in Raj. Raj-patra Vol. 2 part I at page 728.*

Jaipur, December 28, 1950.

No. F-3 (1) Pol. (B)/50.—In exercise of the powers conferred by sub rule (1) of rule 124 of the Indian Pilgrim Ships Rules, 1933 the Government of Rajasthan is hereby pleased to appoint the Commissioners of Divisions in Rajasthan to be the authorities for the purpose of issuing Pilgrim Passes in Form V of the said Rules to persons residing in their respective Divisions.

V. R. ADIGE,  
Additional Secretary to the  
Government of Rajasthan,

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*Rules and Notifications under*

POISONS ACT, 1919  
( CENTRAL ACT No. 12 OF 1919 )

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## Notifications under

POISONS ACT, 1919,

Published in Raj. Raj-patra part IV (c) dated December 3, 1959 at pages 970

Home 'A' Department

### NOTIFICATION

Jaipur, October 21, 1959.

No. D. 4658/F. 9 (1) Home (A)/53-Pt. II.—In exercise of the powers conferred by section 5 of the Poisons Act, 1919 (Central Act No. XII of 1919), the Government of Rajasthan is pleased to specify and declare that any of the following substances or any preparations containing these substance shall be deemed to be a poison for the purposes of this Act, namely:—

Arsenic white; Arsenic yellow; Arsenic Sulphide; Copper Arsenite (Scheels Green); Copper Acetoarsenite (Paris Green); Arsenic metal.

Abrus precatorios (Gunj or Rati).

Barium, All salts of Barium.

Hydrochloric acid.

Lead in combination with oleic acid or other fatty acids.

Mercuric per chloride.

Mercury oxides (Red, Yellow or black); ammoniated mercury; Mercuric sulphocyanide; Mercuric Iodide; Liquor Hydrag per chlor; Hydrargyri sub-chloridum.

Marking Nuts.

Nitric acid.

Oxalic acid; sodium oxalate; potassium oxalate; ammonium oxalate.

Potassium Hydroxide.

Red Lead.

Strychnine; Strychnine nitrate; Strychnine Sulphate; Strychnine Hydrochloride; Liquor Strychnine Hydrochloride and all other salts and solutions and preparations containing 0.2% or more of Strychnine; Sulphuric acid.

Sodium Hydroxide.

Tetra ethyl Chloride.

Verdigris.

White lead.

Insecticides

Parathion.

Tetraethyl Pyrophosphate.

Rodenticides

Alpha-naphthyl Thiourea (Thiourea)

Fungicides

Ethoxy ethyl Mercury Chloride.



Ethyl Mercury Phosphate.  
 Phenyl Mercury Acetate.  
 Ethyl Mercury Chloride.  
 Phenyl Mercury Chloride.  
 Phenyl Mercury Urea.

#### Fumigants

Methyl Bromide.  
 Cyanides, viz. the following:—  
 Liquid Hydrocyanic Acid  
 Sodium Cyanide.  
 Potassium Cyanide.  
 Calcium Cyanide.

By Order of the Governor  
 URGAS PRASAD SHARMA  
 Deputy Home Secretary to Government

*Published in Raj. Raj-patra part IV (c) dated November 17, 1960 at page 471*

Home 'A' Department

#### NOTIFICATION

Jaipur, September 6, 1960.

No. D. 5722/F. 9 (1) Home (A-Gr. I)/53-Pt, II.—In exercise of the powers conferred by section 5 of the Poisons Act, 1919 (Central Act No XII of 1919), the State Government hereby directs that any of the substances specified in the schedule below or a preparations containing any of these substances, shall be deemed to be poison for purposes of the aforesaid Act:—

#### SCHEDULE

- (i) Chlorodinitro Benzene (Dinitrochloro Benzene);
- (ii) Chloronitro Benzene (Orthonitrochloro Benzene, Meta-nitrochlorobenzene, Paranitro Chlorobenzene);
- (iii) Dinitrobenzene (e.g., Matadinitrobenzene-Dinitrotoluene and
- (iv) Chloro-ortho Toluidine.

By Order of the Governor  
 Z. S. JHALA,  
 Secretary to Government

*Notifications under*

**POISONS ACT, 1919**

*Published in Raj. Raj-patra part I (b) dated April 28, 1961 at page 228*

Home (A) Department

**NOTIFICATION**

Jaipur, September 13, 1961.

No. F. 9 (1) Home (A-Gr.I)/53 Pt. II.—In exercise of the powers conferred by section 5 of the Poisons Act, 1919 (Central Act, No, XII of 1919) the State Government hereby directs that the substance, Endrin or any preparations containing this substance, shall be deemed to be a poison for purpose of the aforesaid Act.

By Order of Governor,  
R. D. THAPAR,  
Secretary to Government.

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*Rules and Notifications under*

POLICE ACT 1861, 1888 & 1949.  
( CENTRAL ACT, No. 5 OF 1861, 3 OF 1888, 54 OF 1949 ).

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# Rajasthan Police Rules, 1965

## HOME 'A' DEPARTMENT

*Jaipur, April 12, 1965.*

Notification No. F. 16 (2) Home (A. Gr. 1) 65—In exercise of the powers conferred by sections 45 and 46 of the Police Act, 1861 (Act V of 1861), as in force, and as applied to, Ajmer area and the pre-reorganisation State of Rajasthan, read with section 41 and 42 of the Madhya Bharat Police Act, Samvat 2007 (Madhya Bharat Act 76 of 1950), as applicable to Sunel area, the State Government hereby makes the following rules, namely:—

### CHAPTER I

1.1. *Short Title, extent and commencement*—These rules may be called the Rajasthan Police Rules, 1965. They shall extend to the whole of the State of Rajasthan except the Abu area. They shall come into force at once.

1.2. *Interpretation*—In these rules,—(a) unless the context otherwise requires, form means a form appended to these rules;

(b) reference to the Police Act, 1861 or Act V of 1861 or any provision thereof shall, with respect to the Sunel area be construed as references to the Madhya Bharat Police Act, Samvat 2007 (Madhya Bharat Act 76 of 1950) as in force in that area, or the corresponding provision thereof.

1.3. *Repeals and Savings*—(1) With effect from the date of commencement of these rules, the Rajasthan Police Regulations, 1948, and any other corresponding rules and orders in force in any part of the State to which these rules, extend shall, in relation to matters covered by these rules, stand superseded.

(2) Notwithstanding such supersession, any thing done, any action taken under the rules or orders so superseded shall be deemed to have been done or taken under the provisions of these rules.

### CHAPTER II

#### Preventive and Detective Organisation

2.1. *Principles of the Criminal Law and Police Organisation*—The Criminal Law of India and the Police Organization, which is based upon it, are both founded on the principle that public order depends essentially upon the responsibility of every member of the community within the law to prevent offences and to arrest offenders. The magisterial and police organization is set up to enforce, control and assist this general responsibility. This fundamental principle must be thoroughly understood and borne constantly in mind by Police Officers of all ranks.

The ideal to be aimed at in respect of relations with the public is that every police officer, of whatever rank, should be regarded by every law

abiding person as a wise and impartial friend and a protector against injury to his person and property. In proportion as this deal is approached, the police will receive the information and assistance which they need in order to combat crime successfully. When confidence and co-operation are lacking, private persons and village officials resort to connivance at crime and to seeking redress for their own losses through treaty with criminals the police are isolated in their efforts to prevent and detect offences, and can hope for but a small measure of success.

The proper relations between the police and the public in a district depend primarily upon the personal attitude of the Superintendent, and the example set by him and enforced upon his subordinates. The most important duties of a Superintendent are to know the people of his district & to know what his subordinates are doing such knowledge can only be gained by the fullest personal accessibility activity in touring, thorough and intelligent supervision and a sympathetic interest in the life of the district and the facts and difficulties of the work of his own men. He must inspire confidence in his subordinates, as well as in the public. While alert to check tyranny, dishonesty and other abuses by his subordinates, he must be as accessible to them as to non-officials and ready at all times to help them in their difficulties and support them against the evil influences, which they have to face. This should be the attitude of all supervising officers. They should ensure direct access to themselves unimpeded by their Subordinates, and must be ready to give a patient hearing to all complaints and grievances, but must avoid creating any impression of spying, which would destroy the confidence and undermine the authority of their officers.

**2.2. Sub-Divisional Magistrate, Relations with—**The relations between the Sub-Divisional Magistrate and Police officers with whom he has to deal should be both cordial and intimate, and every opportunity shall be taken to keep him informed of the state of crime in his ilaqa. Conferences between Magistrates and Police Officers, at which difficulties on either side can be discussed and remedies devised, should be encouraged; police officers coming in with challans should take the opportunity of obtaining an interview with the Sub-Divisional Magistrate and discussing with him the state of crime in their jurisdictions.

**2.3. Panchas and Village Watchmen—**The Code of Criminal Procedure prescribes definite duties in respect of reporting and preventing offences in case of members of Panchayats and Watchmen of villages. It is the duty of the Gazetted Police Officers to take particular note of the work of the village officials namely members of Panchayats, Village Watchmen. They should be encouraged in the performance of their duties and suitably rewarded when they do well. Serious or persistent negligence of duty should be brought to the notice of the Superintendent of police in the periodic inspections of the Police Stations mention shall always be made of the degree of assistance received by the police from village officials of his jurisdiction and of particularly meritorious work or note-worthy dereliction of duty on the part of individuals.

2.4. Duties of Police under local and special laws—Many of the most important and most frequently exercised functions of the police derive from local and special laws. In some cases powers so derived have been specially referred to in different chapters of these rules, but irrespective of such references, a knowledge of the provisions of all local and special laws, more or less comprehensive according to the duties of his rank, is required of every trained police officer.

2.5. Absconders and harbourers—A vital factor in both the detection and prevention of crime is the execution of the law in respect of absconding and harbouring. The provisions of the law are adequate to prevent both these offences but their proper and comprehensive administration demands the constant attention of magistrates and supervising police officers. The absence or prevalence of absconding and harbouring are among the acid tests of the efficiency of the criminal administration. Instructions as to the taking out an execution of warrant when persons, whose arrest is required, are not immediately found, are contained in rule 7.5. This is the first essential. Under Section 87, Code of Criminal Procedure any court may at any time issue a proclamation against a person for whose arrest that court has issued a warrant. All that is necessary is that the court should be satisfied not necessarily by evidence, that the said person "has absconded or is concealing himself so that such warrant cannot be executed." The court may further at any time after proclamation "order the attachment of any property, movable or immovable, or both, belonging to the proclaimed person." The period of thirty days mentioned in section 87, Code of Criminal Procedure, is that within which the absconder is called upon to surrender; it imposes no delay on the issue of attachment orders. The issue of a proclamation under Section 87, Code of Criminal Procedure, renders liable to the penalties of Section 216, Indian Penal Code, any one who gives to the person proclaimed any assistance of the nature described in section 52-A, Indian Penal Code.

(2) The action prescribed in rule 7.5 for obtaining a warrant of arrest shall be taken by the police immediately they have grounds for making such arrest. Every reasonable effort to execute such warrant shall then be taken. If such efforts fail the court which issued the warrant must be satisfied that the warrant cannot be executed; evidence of the guilt of the wanted man in the offence under investigation is not required. When a proclamation order has been obtained, the police are bound to publish that order as required by Section 87 (2), Code of Criminal Procedure. Immediately this has been done the requirements of section 87 (4) Code of Criminal Procedure, shall be complied with. Thereupon, the person wanted becomes a "proclaimed offender" and the rules in Chapter IV regarding the entry of such persons name in the surveillance register, list of proclaimed offenders. Notices to village Panchas and Watchmen of all places where he has connections or which he is likely to visit etc. shall be forthwith complied with.

(3) The procedure of search under warrant and proclamation shall be carried out in every case in which a wanted person cannot be immediately arrested without warrant by the investigating officer. Discretion may be exer-

cised by both the police and magistrates whether to proceed with attachment of property under section 88, Code of Criminal Procedure. In every case where there is a danger of more crime resulting from an absconder remaining at large an attachment order shall be immediately applied for. The police are not authorised to carry out attachment, but it is the duty of the prosecuting branch to see that the necessary orders issued from the court without any delay, and of the officer conducting investigation to take steps to prevent the improper alienation of attachable property by fictitious mortgage or sale. For this purpose lists of such property should be made, as part of the investigation, and attached to the police file of the case, and the village watchmen and Surpanch should be directed to report any attempt at alienation or removal pending the issue of attachment order. The lists of property prepared by the investigating officer, attested by competent witnesses, should be put into court with the application for an attachment order.

(4) To prevent harbouring, without which no absconder can remain at large, thorough publicity in regard to the issue of a warrant and subsequent proclamation order is essential. If this receives proper attention, the defence of ignorance is denied to the person who can be proved to have rendered any sort of assistance to an absconder.

2.6. Reports and records—In order that continuity in the method of administration outlined in rule 2.1 may not be lost owing to changes of personnel, the proper maintenance of these reports, records and notes which review the history of the criminal administration of a district, or from which information regarding individuals and past event may be obtained, is essential. Apart from personal records of police officers, police station records and inspection notes, referred to in other chapters of these rules, such records comprise:—

- (i) Transfer of charge memoranda (rule 2.7)
- (ii) Confidential note books (rule 2.8)
- (iii) Weekly diary (rule 2.9 et seq.)
- (iv) Monthly crime report (rule 2.12)
- (v) Annual Police Administration Reports (rule 2.1)
- (vi) Reports on political events or meetings (rule 2.14)
- (vii) Reports on important fairs and festivals (rule 2.15)

2.7. Transfer of charge memoranda—(1) Every Superintendent and Deputy Inspector General shall before leaving a district or range on transfer, or otherwise record a memorandum containing all necessary information for the guidance of his successor and for the preparation of the annual administration report.

(2) The following are some of the matters to be attended to in taking over charge of a district and in preparing the memorandum mentioned in sub-rule (1) above:

- (a) State of contingent allotments, and adequacy or inadequacy under different heads of the budget;

- (b) Additional police, existing and proposed;
- (c) New buildings or repairs required;
- (d) Pending cases of importance;
- (e) Confidential records of correspondence;
- (f) General state of crime;
- (g) Organisation of preventive and detective operations including special mention of the duties of the District Investigating Agency and *modus operandi* office, and current measures of co-operation between the police and public for the prevention of offences.
- (h) Proclaimed offenders and dangerous and active gangs;
- (i) Matters noted at the Deputy Inspectors General's inspection as requiring attention;
- (j) Custody of keys of cash chest, confidential box, etc.;
- (k) Notes on the character and capabilities of officer;
- (l) Punishment files pending;
- (m) Vacancies and suggestions regarding recruiting;
- (n) Approved lists for promotions.

2.8. **Confidential book**—There being many matters connected with the police administration of a district which find no place in office registers, and a record of which is necessary, both for the Superintendent's own information and for the benefit of succeeding officers, every Superintendent shall maintain a "confidential note-book". The details given below shall, among others, find a place in this note-book. Each successive Superintendent adding to and revising, in his own notes, the information on record; and Deputy Inspectors General shall, at their inspections, examine the books and comment on the adequacy or otherwise of the notes recorded. The book shall be in two parts as below:—

### PART I

- (a) Villages specially notorious for the bad character of their inhabitants.
- (b) Names of village officials who have come prominently to notice, with brief notes regarding them.
- (c) Names and brief accounts of noted or professional political agitators or reference to their files.
- (d) Names and brief accounts regarding specially notorious, bad characters and, in cattle thieving districts, of the Chief "Rassagirs".
- (e) Notes of fairs, periodical religious processions and other local gatherings with reference to the file explaining the police arrangements necessary at each.
- (f) A list of capable detectives and intelligence agents among Head Constables and Constables with reference to the special qualifications of each.
- (g) Other matters of permanent interest.

An index to the contents in Part I shall be maintained on the first page, as many pages as may be considered necessary being allotted to each subject. Subject to the above rules the information may be recorded by



Superintendents in any form they deem most convenient. It should be as concise as possible, a reference being given to other files or previous papers for more detailed informations.

## PART II

Part II shall be in the form of a permanent file containing the making over charge memoranda referred to in rule 2.7.

**2.9. Weekly diary**—The district Superintendent will himself prepare a weekly report of political activity on all matters of interest to the Special Branch. These reports shall be based on information received by the District Superintendent of Police through the D.S.B., through the district police and through such other channels and sources as he may have. These weekly reports will be despatched from the district every Saturday so as to reach the State Special Branch not later than Monday. Copies of the weekly reports will also be sent by the District Superintendent of Police to his District Magistrate and the Range Deputy Inspector General of Police.

(2) Office copies of confidential diaries shall be kept for three years or for such longer period as the Superintendent of Police considers desirable.

(3) The copy of the diary should be kept by the Deputy Inspector General of Police of the Range concerned for 3 years.

**2.10. Contents of weekly diary**—The contents and forms of weekly diary will be as prescribed under para 47 of the District Special Branch Manual. The following are among the matters which shall be mentioned in this diary:—

- (a) Information regarding political movements of parties, leaders, publication, and the like.
- (b) Information regarding religious/acts changes in doctrine and practice having a political significance, proselytism or preaching of a provocative nature.
- (c) Information regarding foreigners and others, the reporting of whose movements and activities has been ordered or is considered necessary.
- (d) Information regarding current rumours or topics of interest, which are causing or are likely to cause animosity between classes or disturbance of public tranquillity.
- (e) Public opinion regarding the legislative or executive measures of Government.
- (f) Noteworthy movements of population, whether emigration or immigration.
- (g) Political or religious meetings and celebrations which are important either intrinsically or by reason of public speeches, propaganda and the likely associated with them.
- (h) The effect on public opinion of current discussions in the press.

**2.11. Miscellaneous orders regarding weekly diary**—(1) Weekly diary shall be written on half margin, and every separate subject shall be entered in a separate paragraph, and each paragraph shall be numbered seriatim.

(2) To ascertain and to report correctly the prevailing temper of the people is one of the most important duties a Superintendent has to perform.

(3) When an entry in the diary concerns the police of a district, other than the one from which it is submitted, the Superintendent by or through whom it is submitted, shall state whether he has, or has not communicated the facts direct to the Superintendent concerned.

**2.12. Monthly crime report—**(1) A monthly crime statement shall be prepared in every district in accordance with instructions issued by Deputy Inspector General of Police, Criminal Investigation Department. The S. H. Os. will compile their reports incorporating figures upto 27th of the month and send them to the Superintendent by the third of the next month. Superintendents will send their reports to Deputy Inspector General of Police, Criminal Investigation Department positively by the 9th of each month. The Superintendent shall personally compose a brief review of the state of crime in the district, both in regard to its main divisions and generally. Noteworthy features in the monthly statistics shall be commented upon and references shall made to the progress and development of any special measures for combating crime. Copies of monthly crime reports shall also be endorsed to the Range Deputy Inspector General of Police and the District Magistrate.

**2.13. Annual Police Administration Report—**Every Superintendent shall prepare the annual administration report in January of each year for the previous calendar year. Lists of subjects to be reported on, the returns to be submitted, and detailed instructions for their preparation are issued in the approved forms every year by the Deputy Inspector General of Police, Criminal Investigation Department. No alternations in, or additions to these instructions shall be made without a reference to the Inspector General.

(2) Every Superintendent shall submit the annual administration report through District Magistrate and the Range Deputy Inspector General of Police. The Superintendent Government Railway Police, shall also submit his annual administration report to the Inspector General through Deputy General Inspector Incharge of Railway Police. Each district report shall be forwarded as follows:—

By the Superintendent to the District Magistrate on or before the 31st January;

By the District Magistrate the Deputy Inspector General on or before the 10th February;

They will then be forwarded by Deputy Inspector General to the Inspector General. Every Superintendent shall also submit direct the Inspector General an advance copy of the annual report and the returns appended to it.

The report should consist of concise and intelligent criticism of facts and of the figures given in the prescribed returns. No mere paraphrasing and reproduction of statistics should be allowed in the body of the report. Variations in the figures which are not unusual or important should not be

commented upon. The briefer a report the better it is, if it includes all that is necessary to show an intelligent comprehension of the meaning of the facts and figures and of the salient features of the year's work. The object of the report is to state what has been done rather than to suggest what should be done. Matters of the latter nature should be reported in a separate official letter. Any such comment or suggestion which is considered necessary in the annual report should be as brief as possible, specially where the matter is complicated or controversial.

**2.14. Public meetings**—It is the duty of Superintendent of Police to arrange for the accurate reporting of the proceedings of all political and other public meetings held to discuss matters which are likely to disturb the public tranquility. To this end they shall encourage officers to learn Hindi Short-hand. If the meetings to be reported are of State importance, Superintendent of Police may request the assistance of the Superintendent of Police Special Branch, Criminal Investigation Department, who will arrange with the Deputy Inspector General of the Range for the deputation of a Stenographer from another district in his Range. At meetings at which inflammatory speeches are considered likely, arrangements shall also be made to have official and non-official witnesses present who may be available in the event of the prosecution of any of the speakers being undertaken.

When meetings are obviously of importance in connection with a particular form of agitation or when the speeches at them appear to be actionable, a detailed report shall be sent immediately to the Deputy Inspector General of Police, Criminal Investigation Department, with a list of the official and non-official witnesses present. Reports in such cases shall not be delayed for inclusion in the weekly confidential diary but copies shall be forwarded with the confidential weekly diary to the Deputy Inspector General of the Range for information. Superintendents of Police are responsible that the reports of all meetings are written in clear and intelligible English. Reports should show the classes present at the meetings and estimate the effect of the speeches on the audience.

The police have right to attend public meetings with a view to:

- (i) preventing any infringements of the law, or
  - (ii) taking evidence with a view to the possible prosecution of law breakers.
- All public meetings can therefore, be attended by Police reporters, but as the right of entry may at times be questioned or even forcibly resisted by the organisers, it is important, when such facts are apprehended that a sufficient body of police in uniform should be deputed to discourage opposition.

**2.15 Reports of fairs and festivals**—(1) Every Superintendent in whose district any fair or public assemblies of importance are to take place shall to the 1st December in each year, submit a list of such fairs and assemblies for the year next ensuing, with the date or dates on which they will be held, to the Inspector General for publication in the Police Gazette.

(2) On the termination of the important fairs and festivals. Superinten-

all submit a report in form 2.15 (2) dealing briefly with the prominent features of the fair; crime occurring in connection with it; conduct of the police; accidents or fatalities occurring, if any, and the existence of any excitement of a political or religious nature, etc. Such reports shall be submitted to the Deputy Inspector General of the Range, who will at his discretion forward them to the Inspector General of Police. Events of immediate importance shall also be reported promptly and by radiogram if necessary, by the Superintendent direct to the Deputy Inspector General of the Range and the Deputy Inspector General C. I. D.

**2.16. Political and communal activities in relation to law and order—**Rule 14 lays upon Superintendents of Police the duty of watching and reporting political or communal movements as such. As part of his general duty to maintain touch with the progress of activities, which may have consequences likely to disturb public tranquility, it is incumbent upon every officer in charge of police station and officer superior thereto, to keep himself fully informed of all developments or off-shoots of such movements in his jurisdiction. To this end such officers must know the persons who take the lead in such matters, and the attitude towards them of men of influence. As soon as any such movement shows signs of developing on lines which are likely to cause animosity between sections of the people and breaches of the peace, or to be otherwise clearly subversive of law and order, the Superintendent in consultation with the District Magistrate, shall take such action as may be most appropriate to the occasion; but when the activity is political rather than communal and no orders of Government cover the case, ordinarily a reference should be made to Government before measures to check it are set in motion. Police officers of all ranks are required to refrain absolutely from personal participation in political or communal affairs, they are not concerned with the merits of such controversies, but solely with the maintenance of the public peace. In the category of personal participation, however, acquaintance and maintenance of touch with communal leaders is not included. Relations of this kind may help Superintendents and other gazetted police officers to prevent the development of communal trouble and the occurrence of open disputes, and may enable them on occasions to bring leaders together with satisfactory results for the settlement of minor causes of friction.

**2.17. Religious processions—**(1) Periodical public religious processions shall not be permitted to proceed along new routes without the written sanction of the District Magistrate.

(2) When a periodical public religious procession is about to take place the Superintendent shall acquaint himself with the police arrangements made in past years and shall make the necessary arrangements in consultation with the District Magistrate, following, as far as may be the procedure previously adopted.

(3) In each district a separate file shall be kept of each periodical public religious procession showing the strength and disposition of the police force employed and the average number of persons attending the procession.

(4) Whenever a license is granted for a procession there shall, if possible be a plan of the route on the back of license. All licenses granted shall be inform 2.17 (4).

(5) The Superintendent shall not grant a license for an important public religious procession of a novel character or on an occasion when public feeling is excited, without taking the orders of the District Magistrate.

**2.18. Press advertisements—**(1) The newspaper press shall be used as a medium both for advertising police regulations affecting the public and for enlisting the assistance of the public in the investigation of crime.

Examples:—

- (i) Traffic regulations and directions for festivals and official functions.
- (ii) Descriptions of wanted offenders or lost property, specially when a reward is offered.

In both classes of publicity referred to in this rule press advertising shall be supplemented, when considered advisable, by posters for affixing to notice boards and leaflets for wholesale distribution. Advertising shall be in English or Hindi or both, as may be most appropriate in each case.

**2.19. Criminal Intelligence Gazette, Notice for—**Notices for novel or professional offences and memoranda embodying the shifts and artifices of criminals shall be sent for publication in the Criminal Intelligence Gazette for general information. Such notices shall be sent direct to the Superintendent of Police Criminal Investigation Department and shall be in narrative or other form, as far as possible, ready for the press.

**2.20. Duties of Criminal Investigation Department—**The following are the chief duties of the Criminal Investigation Department in so far as they affect the district police:—

- (i) To promote co-operation between the police of different districts and different states and centrally administered territories.
- (ii) To under take or assist in the investigation of cases or classes of crime which have state or inter state ramifications if the Inspector General or Deputy Inspector General, Criminal Investigation Department, considers that such action is in the interest of the criminal administration.
- (iii) To watch and report on all communal, political and subversive movements affecting the state and India as a whole; to maintain close co-operation with district authorities in all such matters and to direct investigations connected with them.
- (iv) Through the medium of the Criminal Intelligence Gazette:—
  - (a) to check crime by the prompt publication of information of the prevalence of a particular class of crime and of the absence from their homes of a dangerous criminals;
  - (b) to secure the detection and arrest of persons wanted for offences committed;
  - (c) to trace property stolen and recovered;

(d) to act generally as an agency for disseminating intelligence likely to aid the police in their work.

(v) To collect, co-ordinate and disseminate political and criminal intelligence.

**2.21. Requests for services of officers of Criminal Investigation Department—**The services of investigating officers of the Criminal Investigation Department may be asked for by Superintendent of Police in any case of the following nature:—

(a) Note forgery, counterfeit coining of professional poisoning cases where the conspiracy appears to attend to other states and there is not a suitable staff to deal with them in the district.

(b) Theft of Government arms and ammunition illicit trade in arms.

(c) Extensive frauds and bogus company promoting.

(d) Cases of dacoity concerning more than one district.

(e) Organised traffic in women.

(f) Cases of such a technical nature as, in the opinion of the District Superintendent of Police appear to call for the services of an officer of the Criminal Investigation Department.

The Deputy Inspector-General of Police, Criminal Investigation Department, shall decide in each such case whether he can comply with the request of the Superintendent of Police.

**2.22. Status of Criminal Investigation Department Officers in Investigation—**

(1) The Criminal Investigation Department has no separate jurisdiction and can only investigate under the cover of a First information Report registered at a Police station having jurisdiction. The Deputy Inspector General of Police, Criminal Investigation Department, may decide to take over the control of any particular investigation himself or to depute one or more of his officers to work directly under the control of the Superintendent of Police of the district concerned. In either case the latter officer has the right to be kept fully informed of the progress of the investigation. All cases diaries written by officers of the Criminal Investigation Department shall be forwarded to the gazetted officer of the Criminal Investigation Department under whom they are working through the Superintendent of Police, advance copies being sent direct if so ordered.

(2) When dealing with cases in conjunction with the district police, officer of the Criminal Investigation Department must bear in mind that it is indispensable to gain the confidence and good-will of the local police and to avoid giving cause for jealousy.

(3) When good results are obtained full credit must be given to district police officers for any share they have had in the work and, when results are unsatisfactory, care must be taken not to criticise the local police unfairly.

(4) Remarks of District Superintendent of Police on all recommendations made by officers of the Criminal Investigation Department for rewards for exceptionally good work done in cases wholly or partly investigated by officers of the Criminal Investigation Department shall invariably be

obtained ( who may add any recommendation or remarks he may consider necessary.)

**2.23. Criminal Investigation Department—no control over district police—** Officers of the Criminal Investigation Department shall have no control or executive authority over the district police except in an emergency and within the powers vested in them by their rank in the State Police force.

All matters affecting the discipline of or rewards to and complaints against, the district police, shall be referred by the Deputy Inspector General of Police, Criminal Investigation Department, to the Deputy Inspector General of Police of the range concerned.

**2.24. Prosecution of cases investigated by the Criminal Investigation Department—**The consent of the Deputy Inspector General Criminal Investigation Department, shall be obtained before an officer of the department is presented as a witness in court. Criminal Investigation Department officers shall advise and assist the district investigation and prosecuting Officers in the conduct in court of cases in the investigation of which they have shared.

**2.25. Rules of the Criminal Investigation Department—**The full rules of the criminal Investigation Department are contained in the Manual of that Department.

**2.26. Circumstances in which Criminal Investigation Department can assist Investigation officers—**The Criminal Investigation Department is in possession of special apparatus and its officers include those accustomed to the handling of certain branches of police technique. Investigating district police officers and Superintendents of police should remember, therefore, that the Criminal Investigation Department is in a position to give assistance in circumstances of the type as are illustrated below:—

- (a) the reconstruction of faded writing;
- (b) the examination of arms and bullets used in crime;
- (c) the examination of minutiae such as hair, pieces of skin, dust, etc;
- (d) the solution of ciphers;
- (e) the examination of forged documents, counterfeit coins and moulds;
- (f) the photographing of important documents;
- (g) the interrogation of suspects from other states;
- (h) the connection of local suspects with suspects of other districts or States;
- (i) when an opinion on handwriting is required to assist the investigation;
- (j) where invisible inks are suspected to have been used;

(In view of limited resources, such matter shall be referred to Criminal Investigation Department in cases where other evidence sufficient for the purpose of the case concerned is not forthcoming or other evidence needs further support for success of the case.) In important cases the Criminal Investigation Department will enlist the aid of scientific persons outside the police Department.

The department is also ready, when circumstances permit, to assist district police officers with technical advice on the spot as to the discovery and preservation of clues at the scene of crimes and can sometimes loan apparatus and qualified operators thereof for these and similar purposes

**2.27. Officer of Criminal Investigation Department to report to Superintendent of Police**—Ordinarily, when an officer of the Criminal Investigation Department is sent to a district to take up enquiries and invariably, when he is sent to investigate a case, he will take with him a letter addressed to the Superintendent of Police or Senior Officer present at headquarters, describing the nature of the work on which he is sent and, when necessary, asking for his assistance.

**2.28. Organisation of police in towns and cities**—(1) In each district the Superintendent of police shall issue standing orders regulating the point and beat duty to be carried out in each town for which police establishment is provided. These orders shall be revised as often as may be necessary to meet variations in the local incidence of crime, development of new residential or commercial areas, increase in establishment and the like. The division between the investigation and police station writing staff and the watch and ward staff shall be maintained as far as is practicable, though interchange of duties should be made. Men, even though qualified, should not be employed on the investigation staff while posted to the watch and ward staff, except in cases of emergency, as such employment must detract from the efficiency of the watch and ward system.

(2) The success of a system of watch and ward in a town or city will depend on:—

- (a) the discipline of the men on beat and patrol duties;
- (b) the extent to which the men have been instructed in their duties;
- (c) the amount of supervision exercised by superior officers. Superintendents of Police must therefore, arrange that, in addition to the standing orders referred to in the above rule, head constables are frequently questioned so as to ensure that the training they have received in the lines School and at the Police Training School is not forgotten put into Practice. Each constable on beat or patrol duty should continually have in mind the specific duties required of him.

**2.29. Modus Operandi Bureau**—The instructions concerning the examination of scenes of thefts and burglaries and the particulars required to be submitted in case of all such offences are given in Appendix 2.29 and the various *modus operandi* forms to be used are detailed below:—

- (a) RPM 1 ... Name Index Card.
- (b) RPM 2 ... Alias Index Card.
- (c) RPM 3 ... M. O. Index Card.
- (d) RPM 4 ... Crime Record Card.
- (e) RPM 5 ... Physical Peculiarities Card.
- (f) RPM 6 & 6 A Indentifiable Stolen Property Index Card.



- (g) RPM 7 ... Wanted Persons Card.
- (h) RPM 8 ... Style Index Card.
- (i) RPM 9 ... Trade Mark Index Card.
- (j) RPM 10 .. To be used for sending information to D. I. A. by S. H. Os. or I.Os after visiting the scene of crime.
- (k) RPM 11 ... To be sent when the investigation is over.
- (l) RPM 12 ... Memo from S. H. O. to D. I. A.—Information of arrest and verification.
- (m) RPM 13 & 13 A Particulars of the persons arrested alongwith thier descriptive roll
- (n) RPM 14 ... Memo for forwarding S. S. to F. P. B.
- (o) RPM 15 ... Memo for taking photograph of the person arrested.
- (p) RPM 16 ... Jail release register.
- (q) RPM 17 ... Photo album.
- (r) RPM 18 ... Case Index Card (for undetected cases).
- (s) RPM 19 ... Registerfor registration of criminals.
- (t) RPM 20 ... Transort Index Card.

### CHAPTER III

#### The Police Station

3.1. Officer incharge of Police station—(1) The officer incharge of a Police Station is ordinarily a Sub-Inspector. Within the limits of the Police Station jurisdiction the Sub-Inspector is primarily responsible for the effective working, management, good conduct and discipline of the local police, for the preservation of peace and the prevention and detection of crime the due performance of all Police duties the exercise by the Police of the powers granted them by law, the correctness of all registers, records and reports prepared by them, and the direction, instructions and efficiency of all police subordinates in the station jurisdiction and matters for which the officer incharge of a police station is essentially answerable.

(2) It is the duty of the officer incharge of a police station to acquire detailed and accurate local knowledge, to secure the whole-hearted co-operation of Panchas of Panchayats and Chowkidars, encouraging them to give an inside of the administration. Through them and his own subordinates he is required to keep a strict watch over all known bad charactors, and he shall communicate all intelligence of movement to his superiors and to other police stations without delay.

(3) Within the limits of his chargs he is the chief investigating officer and as such he shall conduct all investigations in person, so far as circumstances permit. His responsibility in this matter must be carefully maintained. Should it be necessary, owing to the absence of the Sub-Inspector or any other cause, for a subordinate to undertake an investigation, the Sub-Inspector shall satisfy himself by pursuing the case diary and questioning the investigating officer that the investigation has been fully and properly conducted, shall remedy what is defective, and take over the investigation as soon as he is free to do

so, except in a case originally investigated by an assistant Sub-Inspector where he will be guided by rule.

(4) When present at the Police station, he shall personally supervise the routine work of the Station House, and shall be careful to see that there are no arrears of correspondence and that the accounts are correct.

**3.2. Assistant Sub-Inspectors**—(1) One or more Assistant Sub-Inspectors are attached to each police station, proportion to the normal amount of crime registered, as subordinate investigating Officers. An Assistant Sub-Inspector is the Assistant and deputy of the officer Incharge of the Police Station, who, without detracting from his own authority or ultimate responsibilities as described in rule 31 may delegate powers and duties generally or specifically to one or other of his assistants, on the same principles as the Superintendents of Police delegates authorities and duties to Gazetted Officers subordinate to him.

(2) An Assistant Sub-Inspector is required to have approximately the same standard of efficiency in all branches of Police Station work, detective, preventive and administrative, as a Sub-Inspector, but his responsibilities are less, in that he is not in independent charge, and his powers are subject to the detailed control and supervision of the Sub-Inspector. In respect of investigations, the Sub-Inspector is required to exercise careful supervision over the work of his Assistant Sub-Inspector, as laid down in rule 3.1, but need not, and should not, normally take into his own hand an investigation started by an Assistant Sub-Inspector, except when he finds the latter's investigation gravely defective.

**3.3. The Station Clerk**—The Police Station Clerk is a literate Head Constable who, under the control and supervision of the officer incharge of the Police Station, acts as Clerk, Accountant, Record keeper and Custodian of Government and other property at a Police Station. He may be assisted by one or more Assistant Clerks.

**3.4. Duties as a Clerk**—As Clerk of the Police Station, the station Clerk performs the following duties:—

- (a) He opens, registers and hands over all correspondence to the Officer Incharge of the Police Station or Senior Officer present and takes his orders for the disposal of papers. He writes all reports and returns called for by competent authorities and is responsible that all pending papers are promptly disposed of.
- (b) Every morning he brings to the notice of the officer incharge of the station (i. e. Senior Officer Present) all postponed orders and pending papers awaiting execution and reply. At morning roll call he records the same officer as to the distribution of duties for the day.
- (c) He writes up the daily diary and other station house registers. He sees that the file of the Police Gazette is kept up-to-date, and that all orders and notices contained in it, which concern the staff or the work of staff, are carefully noted and explained to all concerned.

**3.5 Duties as an Accountant**—As Accountant, the station clerk is responsible for the correctness of the cash book, of the cash balance in hand, and for all accounts of receipts or expenditure rendered to his superiors. He must, without fail, bring every item of receipt or expenditure promptly and fully to account. If any appropriation of public money to purposes for which it was not intended occurs, or if money shown as expended is not expended, or is expended in a different way from that shown, he is bound to report the matter at once to the Superintendent. He will not be allowed to shield himself by pleading the orders of his superior officer, but will be held responsible for malversations which would not have been possible if his accounts had accurately represented the facts. He writes out invoices, and checks and files receipts and other vouchers for payments made. He prepares the monthly acquaintance rolls and accounts of deductions and stoppages from pay and all travelling allowance and other claims of the officers and men of the station concerned, and sees that acquaintance rolls are duly signed and forwarded. The duties and responsibilities of the station clerk under this rule shall not be delegated to any other member of the police station staff.

**3.6 Duties as a Record Keeper**—As a Record Keeper, the station clerk is responsible that all registers and other record are safely kept and they do not suffer injury from damp, vermin or other cause. He periodically eliminates and sends to Head Quarters the records which are no longer required to be maintained according to rule.

**3.7. Duties as a Custodian of Property.**—As custodian, the station clerk is responsible for all Government property, including arms, ammunition, bicycles, articles of clothing and equipment other than such as are in the personal charge of individual officers, and all unclaimed property connected with cases. He is in direct charge of the store room and shall keep the keys of and personally superintend all receipts and issues therefrom. He shall also be responsible for the safe custody and dieting of persons in the lockup and shall personally keep keys thereof.

**3.8. Continuous presence at Police Station**—The Station Clerk's duties necessitate his continuous presence at the Police Station; accordingly he shall not be employed on investigation work or any other duty involving his absence from the Police Station for any long period. If he leaves the station house for any purpose which is likely to prevent his return within a few minutes on an urgent summons, or under the provision of rule 3.32 he shall formally make over charge to the Assistant Clerk and shall make an entry in the daily diary. Similarly on return to duty, he shall again enter the fact in the daily diary and both entries shall be signed by the Assistant Clerk as evidence of his responsibility during the absence of the station clerk. Under no circumstances shall the station clerk and the Assistant Clerk be both absent from the police station at the same time.

**3.9. Literature Police Officers**—Other literate police officers shall be employed under the general direction of the officer in charge of the police station to assist the clerk in the up-keep of criminal records, and to assist in

the investigation of cases and the collection, recording, and dissemination of intelligence.

**3.10. Watch of Police Stations.**—(1) A standing sentry at Police Stations shall be posted. In addition to looking after the general security of the police station, he shall be responsible for the safe custody of the prisoners in the lock-up, valuable property in the store-room, if any.

(2) Standing orders describing the duties of the entry shall be framed by the Superintendent of Police and hang-up in the police station office. The Officer incharge of the police station shall read out the appropriate part or part, of this standing order when allocating duties at Roll Call Vide Rule 3.11.

(3) Ordinarily there shall be a Police Officer, who shall usually be the senior officer present at the station house, available and ready in proper uniform to receive information and complaint and to afford such assistance as may be lawful and necessary; and at every post there at all times one police officer in uniform incharge of the building and property, but such police officer shall not be expected to do more than keep on the alert.

**3.11. Roll Calls**—At sun-rise and at sun-set the officer incharge of the police station, i.e., the senior officer present, shall fall in all the police present at the station and hold a roll call. At this roll call instruction shall be given in respect of all general and special orders which may have been received from superior authority or which the officer incharge of the police station may see fit to promulgate, and duties shall be allocated. The police detailed for watch duty shall be under the orders of station clerk who shall invariably enter their signatures or thumb impressions in the station diary immediately after the roll call.

**3.12. Inspection before proceeding on duty.**—All officers proceeding on duty shall appear before the senior officer present at the station, who shall satisfy himself that they are correctly turned out and understand the duties allotted to them and who shall record in the daily diary an entry to the effect that he has done so, giving particulars as to the men, the duties and the time of inspection. This rule is binding on men posted on watch duty and the entry in the daily diary in their case shall be in addition to the entry required under rule 3.11 above.

**3.13. Parades.**—The officer incharge of the police station is responsible for keeping his staff proficient in drill and to secure this end must hold parades as frequently as possible. The small number of men available for parade in a police station is no bar to the giving of much useful instruction. When a parade is held, a record must be made in the daily diary in which will be incorporated a parade statement and a note of the instruction given.

**3.14. The Police Station Lock-up.**—The rules in Chapter VII for the control of lock-ups and the custody and case of prisoners shall apply strictly to all police stations and posts.

**3.15. Public Property.**—Subject to the orders and responsibility of the Officer Incharge of the police station, the station clerk shall be considered to be incharge of all public property including money and case property in his

station house. Every officer incharge of the station shall examine the property at least twice a month and shall report in the following Monday's diary that he has done so. If property is found to be incomplete or to be in any way damaged he shall add to his report the names of the persons responsible for the loss or damage

He shall also see that the property in connection with a case is expeditiously disposed of according to magisterial orders on the conclusion of the case.

All Property shall be examined by Officers' incharge of police stations on receiving and handing over charge and by station clerks on relief. All damages and shortage must then be carefully noted and reported to the Superintendent of Police.

**3.16. Case Property.**—(1) The police shall seize weapons, articles and property in connection with criminal cases and take charge of property which may be unclaimed:—

- (a) Under the implied authority of Section 170, Code of Criminal Procedure ;
- (b) in the course of searches made in police investigations under sections 51, 165 and 166, Code of Criminal Procedure ;
- (c) under section 153, Code of Criminal Procedure, as regards weights, measures, of instruments for weighing that are false;
- (d) under section 550, Code of Criminal Procedure, as regards property alleged or suspected to have been stolen provided that if the property consists of an animal or animals belonging to Government or to persons of good status; it may be made over through a Commissioned or a Gazetted Officer under the orders of a Magistrate who is empowered to make such an order under section 523, Criminal Procedure Code;
- (e) under section 550, Code of Criminal Procedure as regards property found under circumstances which create suspicion of the commission of an offence; when an offence in respect of an animal is committed and such animal is not stolen property such animal shall be seized and sent with the case to the Magistrate having jurisdiction ;
- (f) under section 25 of the Police Act, as regards unclaimed property;

Ordinarily the police shall not take possession of movable property as unclaimed when it is in the possession of an innocent finder: but in cities the police may in compliance with an order issued under section 26 or 27 of the Police Act, take possession and dispose of unclaimed property made over to them by innocent finders.

Such property shall be entered in the store room register,

(g) under the provisions of Local and Special Law.

(2) Each weapon, or article of property not being cattle, seized under the above rule, shall be marked or labelled with the name of the person from whom, or the place where it was seized, and a reference to the case diary or other report submitted from the police station.

If articles are made up into a parcel, the parcel shall be secured with sealing was bearing the seal impression of the responsible officer, and shall be similarly marked or labelled. Such articles or parcels shall be placed in safe custody, pending disposal as provided by Law or Rules.

(3) The police shall send to Head Quarters or to magistral courts,—

(a) all weapons, articles and property connected with cases sent for trial ;

(b) suspicious, unclaimed and other property when ordered to do so by a competent Magistrate.

(4) Motor vehicles detained or seized by the police in connection with cases or accidents shall be produced before a Magistrate after rapid investigation or by means of incomplete challan. The evidence relating to the identity or condition of the vehicle should be led and disposed of at an early date, and the Magistrate should then be invited to exercise the discretion vested in him by section 516 A, Code of Criminal Procedure, to order that the vehicle be made over to the owner pending conclusion of the case on security to be produced whenever demanded by the court.

**3.17. Custody of money.**—All Government money received in the police stations and not disbursed forthwith shall be kept in the store room.

**3.18. Custody of property** —(1) Property exceeding in value Rupees Two Thousand whether appertaining to cases, or seized on suspicion, or taken as unclaimed, shall be forwarded as soon as possible to District Head Quarters for deposit in the treasury in the case of property connected with a case to be tried at an outer station or Tehsil, to the Tehsil Treasury, where it shall be placed in the Tehsil strong room under charge of tehsildar.

Large sums of money or valuable property of any description shall not be entrusted to police officers below the rank of Head Constable.

When property is brought from outer stations to Head Quarters at a time when the Prosecuting Inspector and Sub-Inspectors are engaged in court duties, the bearer shall hand it over to the Head Constable acting as Assistant to the Prosecuting Inspector under rule 8 12 obtain his receipt in acknowledgement of the road certificate. When a prosecuting officer is free, the bearer of the property shall have the road certificate countersigned by him before his return to his police station.

(2) All case property and unclaimed property other than cattle, of which the police have taken possession shall, if capable of being so treated, be kept in the store room. Otherwise the officer incharge of the police station shall make other suitable arrangements for its safe custody until such time as can be dealt with under sub-rule (1) above.

Each article shall be entered in the store room register and labeled. The label shall contain a reference to the entry in store room register and a description of article itself and, in the case of articles of case property, a reference to the case number. If several articles are contained in a parcel, a detail of the articles shall be given on the label and in the store room register.

The officer incharge of the police station shall examine Government and other property in the store room atleast twice a month and shall make an entry in the Station diary on the Monday following the examination to effect that he has done so.

**3.19. Post Office cash safe.**—Post office cash safes may be embedded in safe positions in police stations by arrangement between the Superintendent of Police and the Superintendent of Post Offices.

The police department accepts no responsibility for the safe custody of such safes and Superintendents shall not permit them to be embedded at places where no safe accommodation exists.

The work of embedding shall be carried out by the Postal Department.

**3.20. Beat and Patrolling duties.**—The orders in connection with beat and patrolling duties are contained in rule 2.28.

**3.21. Field Firing by troops.**—When, under arrangements approved by the District Magistrate concerned, the military authorities conduct field firing or artillery practices they are required by military orders approved by Government to provide troops to clear and keep the ground. Police shall not be supplied for this duty. The police are further forbidden to take any part in securing the evacuation of villages or confinement of people to their Government to provide troops to clear and keep the ground. Police shall not be supplied for this duty. The police are further forbidden to take any part in securing the evacuation of villages or confinement of people to their houses in connection with such practices. Such action, when ordered by the District Magistrate, shall be carried out by Revenue offices and village officials.

**3.22. Duties at ferries.**—Police officers stationed at ferries shall afford such lawful assistance as may be necessary for the regulation of traffic and shall prevent the over loading and over-crowding of ferry goods.

**3.23. Religious processions.**—The orders relating to periodical religious processions are contained in rule 2.17.

**3.24. Dramatic performances and cinematograph displays.**—(1) Whenever a dramatic performance is about to take place the officer incharge of the local police station shall be responsible that all tents, booths and other temporary structures erected for public performances are inspected before they are opened to the public.

Such structures must have proper facilities for rapid egress and for the prevention and extinction of fire, and must be so placed that there is no danger of fire, from adjacent buildings.

(2) If the arrangements appear to be insufficient, immediate report shall be made to the senior magistrate present at the place in question; or in whose jurisdiction the structures have been erected.

(3) The Superintendent shall report to the District Magistrate any defects in buildings commonly used for public performances which are likely to endanger human life.

(4) The rules made by Rajasthan Government under Section 10(b) & (d) of the Rajasthan Cinema (Regulations) Act, 1952 include the following :—

- (1) Every building shall be provided with an adequate number of clearly indicated entrances and exists so placed and maintained as readily to afford the audience ample means of safe movements and with a passage 3 ft. in width for every 10 rows of sitting accommodation. By adequate, is meant, 5 linear ft. of exit way for 500 square feet of sitting space inside.
- (2) The total number of spectators accomodated in the building shall not exceed 20 per hundred square feet of the area available for sitting and standing or 20 per hundred and 33 square feet of the over all area of the floor space in the auditorium.
- (3) Fire appliances shall be provided.
- (4) The cinematograph machines shall be placed in a permanent en clasure of sufficient dimensions to allow the operatos to work freely. The enclosure shall be substantially constructed of fire resisting material or lined with the same.
- (5) The licence and plan (of the building) and description, if any, attached thereto, shall be produced on demand to the Superintendent of Police or any Police Officer deputed by him.
- (6) No smoking shall at any time be permitted within the auditorium or the encloure.

**3.25. Foundlings.**—If a child deserted by his parents or guardian is found by a police officer or brought to a police station by a person who is under no legal obligation to maintain it, and who is unwilling to take care of it, such child shall be cared for at the police station and brought before the local magistrate as soon as possible. The orders of such magistrate shall be taken as to the disposal of the child, and any reasonable expenditure not exceeding 75 Paise per day incurred from the permanent advance of the police station for the maintenance of the child, shall be got reimbursed from the court. Should the delay in bringing the child before the local magistrate amount to more than a few hours, advantage shall be taken of the existence of any orphanage or other charitable institution which may be willing to shelter the child until it is finally disposed of by the magistrate's order.

**3.26. Duties in connection with epidemic disease.**—On the appearance of cholera, plague, small pox or any other disease in epidemic form or unusual mortality amongst rats in any police station jurisdiction, the officer incharge of the police station shall at on e inform the Superintendent of Police, the District Medical Officer of Health and the Medical Officer of the nearest dispensary.

**3.27. Additions and alteranations to buildings.**—Officers incharge of police stations shall not permit any additions or alterations to existing buildings without the previous sanction of the Superintendent of Police.



**3.28. Diet of accused person.**—The rules for the provision of diet at police stations to accused persons and for the recovery of expenses in this connection are contained in rule 7.27.

**3.29. Advance of diet money to witnesses.**—Advance at police stations of diet money to witnesses, and the recovery of such advance shall be governed by the rules laid down by the Government in this regard.

**3.30. Charges of animals connected with cases.**—Complainants in cattle cases, or sureties to whom cattle have been made over for safe custody and production if and when required during police investigation, shall receive the cost of maintaining animals connected with the case. The rate sanctioned for each day and for each day's journey shall be fixed by the District Magistrate subject to the proviso that the complainant has travelled or has been detained in the interests of the case at a place, more than five miles from his home.

Superintendent of Police shall provide lists showing the rates for each animal and these lists shall be hung-up in the police station office.

Expenses incurred under this rule during the course of investigation of the case shall be paid from the Permanent Advance allotment of Police Station. Expenditure on this account shall be debited to the Head "Rewards to Private Persons".

**3.31. (a) Kits of men on leave.**—When an officer proceeds on leave from the police station he shall hand over all Government property in his possession to the station clerk who shall at once prepare a list of all articles. The kit will be folded and kept in the store room. The station clerk is responsible for its safe custody. When the officer in charge of the police station proceeds on leave he shall hand over all Government property for which he is responsible to the officer appointed to act for him, such property as is not required by the latter for current use being placed in the store room.

**(b) Return of revolvers when officer is on leave or under suspension.**—When an officer to whom a revolver has been issued ceases to be a police officer or ceases to belong to a rank to which revolvers are issued, or proceeds on leave other than casual leave, he shall return the revolver issued to him, together with all equipment, ammunition and accessories issued to him with such revolver to the lines officer for deposit in the head quarters armoury.

**3.32. Married police officers.**—(1) Married quarters are provided in police stations in accordance with the scale approved by the Government. Officers to whom these quarters are allotted may sleep in them, provided that they are not on watch or entry duty or required to be in the police station building for any reason.

(2) At police station where family quarters are provided upto the maximum scale laid down by the Government no other police officers shall be allowed to have rented accommodation elsewhere.

At police stations where family quarters have not been provided upto the maximum scale laid down by the Government the number of officers permitted to occupy quarters outside the police station shall not exceed such scale.

(3) A list of married police officers attached to each police station and its subordinate p sts shall be maintained in the police station.

3.33. Journeys by road and by rail.—Use of railway warrants in case of journey by rail, and bus warrants in case of journey by road shall be governed by rules framed by the Government from time to time.

3.34. Notices and notice board —(1) Only such notices as are required by rule or by special order of the Superintendent of Police to be hung at police stations are to be displayed.

(2) Notice boards at police stations shall be used solely for the display of police and other official notices. Public notices by local bodies may be displayed on such boards with the permission of the officer in charge of the police station, but their use for private or trade announcements and advertisements is strictly prohibited.

3.35. Registers.—The following books shall be maintained at each police station in accordance with the rules hereinafter prescribed or referred to—

- (1) The First Information Report Register and, in certain stations the Register of Petty Offences.
- (2) The Station Diary.
- (3) Part I-Standing Order Book Part II-Circular and other orders.
- (4) Register of absconders and Deserters.
- (5) Register of Correspondence.
- (6) Miscellaneous Register.
- (7) The Village Crime Register.
- (8) The Surveillance Register.
- (9) Enquiry Rolls Despatched.
- (10) Enquiry Rolls Received.
- (11) Index to History Sheets and Personal files.
- (12) Register of Information Sheets Despatched.
- (13) Copies of Information Sheets Received.
- (14) Minute Book for Gazetted Officers.
- (15) File Book of inspection reports.
- (16) Register of Government Official and Property.
- (17) Register of Licenses.
- (18) Receipt Book for Arms, Ammunition and Military Stores.
- (19) The store Room Register.
- (20) Cash Accounts.
- (21) File Book of Road Certificates.

(22) Printed Receipt Books.

(23) Police Gazette.

(24) Criminal Intelligence Gazette.

(25) Police Rules.

(26) Charge Notes of Officers Incharge of Police Stations.

3.36. General orders regarding station registers.—(1) No alteration in the form or method of keeping the books and no addition to their number may be made without the sanction of the Inspector General being previously obtained.

(2) Every station register shall be paged. In the case of all registers except parts I, II, III, IV and V of Register number (7)—The Village Crime Register and registers (10)—Bad Character Rolls Received, (11)—Index to History Sheets and Personal Files and (12)—Copies of Information Sheets Received this shall be done in the office of the Superintendent before issue to a police station. No page may be torn out of the station register. Any correction which it may be necessary to make shall be made by drawing a line through the mistake so as to leave the words erased legible and by writing in the corrected words afterwards or in the margin. A piece of paper shall not be pasted over a mistake.

(3) All entries shall be neatly and clearly written and all corrections shall be attested by the signature of the officer making them. If words or lines are omitted from an entry, or if an entry is omitted altogether, no interpolation shall be made. The omission shall be supplied by a fresh entry in the regular course.

Note :—Seals of a uniform pattern have been provided for each police station and for the offices of Superintendents and Deputy Inspectors-General and no deviations shall be allowed from the sanctioned designs when seals are renewed from contingencies or new seals are procured for additional stations.

3.37. Register number (1).—Orders regarding the First Information Report Register are contained in rule 5.5 and regarding the Petty Offences Register in rule 5.9.

3.38. Register number (2).—(1) The daily diary shall be maintained in accordance with Section 44 of the Police Act. It shall be form 3.38 (1) and shall be maintained by means of the carbon copying process. There shall be two copies. One will remain in the police station register and the other shall be despatched to the Circle Officer every day at the hour fixed in this behalf.

Shortly before the close of each quarter, books containing the proper number of pages for the ensuing three months shall be issued to police stations by the Superintendent. The Superintendent shall fix the hours at which station diaries shall be daily closed with reference to hour of despatch of the post or messenger.

(2) All entries in the station diary shall be made by the officer incharge of the police station or by the station clerk. Literate officers making report shall read the report recorded and append their signatures. Every matter recorded in such diary shall be so recorded as soon as possible; each separate entry shall be numbered and the hour at which it was made shall commence each such entry. If the hour at which the information, or otherwise, containing such entries reaches a police station differs from the hour at which such entry was made both hours shall be stated. As soon as an entry has been made in the diary, a line shall be drawn across the page immediately below it.

(3) The opening entry each day shall give the name of each person in custody, the offence of which he is accused, and the date and hour of his arrest, the name of each accused person at large on bail or recognizance and the date of his release on such security.

The last entry each day shall show the balance of cash in hand as shown in the cash account.

(4) The daily diary is intended to be a complete record of all events which take place at the police station. It should, therefore, record not only the movements and activities of all police officers but also visits of outsiders, whether official or non-official, coming or brought to the police station for any purpose whatsoever.

**3.39. Matters to be entered in Register Number (2).—**The following matters shall, amongst others, be entered:—

- (a) The number and description of cattle seized in connection with cases or on suspicion with reference to the case or report.
- (b) The day, hour and purpose of visits to the police station of convicts released under the Remission Rule or under Section 565, Code of Criminal Procedure, together with the names of such persons
- (c) The hour of arrival and departure on duty at or from a police station of all enrolled police officers of whatever rank, whether posted at the police station or elsewhere, with a statement of the nature of their duty. This entry shall be made immediately on arrival or prior to the departure of the officer concerned and shall be attested by the latter personally by signature or seal.

**Note:—**The term police station will include all places such as police lines and police stations where register number (2) is maintained.

- (d) Every police officer of or above the rank of Head Constable; when returning from duty other than an investigation in which case diaries are submitted, shall have an entry made in the daily diary by the station clerk or his assistant showing the places he has visited and the duties performed by him during his absence from the police station.

Note:—All entries regarding residents of the home police station shall be made in red ink.

Part III—List of deserters from the army, in Form 7.13 [4].

As soon as absconder has been proclaimed under section 87, Code of Criminal Procedure, his name shall also be entered among the proclaimed offenders in Part I of register number III.

3.45. Register No. [5].—Register of Correspondence. The correspondence register shall be maintained in two parts in Form 3.45. Each part shall contain 400 pages.

[1] In part I shall be entered a brief extract of all reports and order received at the police station and of all letters and replies despatched which are not entered in any other book.

[2] When an entry is made in the receipt columns the corresponding despatch column shall be left blank for the reply and vice versa.

This register is a receipt and despatch register and is not meant as a record of the full correspondence. Correspondence received and not meant is forwarded or returned shall be filed in monthly files. These shall be destroyed after two years.

(3) In part II the receipt and returns of processes shall be entered.

Processes include—

- a. Summonses to appear or to produce.
- b. Warrants of Arrests.
- c. Search Warrants.
- d. Orders of proclamation, attachment, injunction or otherwise under sections 87, 88, 95, 99, 133, 140, 143, 144 and 145 Code of Criminal Procedure.

On the last day in each month a statement giving the following information shall be entered in the daily diary in red ink—

- (a) The number of warrants remaining unexecuted at the end of the previous months received and executed during the current month and remaining unexecuted at the end of it.
- (b) Similar information regarding summonses in cognizable and non-cognizable cases.
- (c) Similar information regarding other processes.

At the end of the year any statistics required shall be compiled from such entries in the daily diary.

3.46. Register Number (6) Miscellaneous Register.—This register shall be divided into five parts:—

Part I—List of Character Rolls of applicants for Government service verified by the police in Form 3.46. (1).

Part II—List of persons on security in Form 8.14(3).

Note.—Particulars of arrest under Section 109-Code of Criminal Procedure, of persons who are residents of another police station shall be entered in red ink and, given a separate serial number, the form being completed when the result of the case is intimated by the prosecuting agency.

**Part III**—Carbon copies of all reports submitted for action under the Indian Panel Code and Criminal Procedure Code of local and special laws such as prosecutions under Section 182, Indian Penal Code, Preventive Security under the Criminal Procedure Code.

**Part IV**—Carbon copies of reports of investigation into accidental deaths of human being in which forms 6.34 (1) A, B & C are submitted. A yearly index will be maintained for this part.

This register may be destroyed seven years after the date of the last entry.

**Part V**—Register of conviction of licenced drivers of motor vehicles.—

(1) This register will be maintained in the same form as conviction register (Rule 3.48) alphabetically by name. All offences committed by licensed drivers of motor vehicles whose permanent homes are in the jurisdiction of the police station will be entered in this register. Magistrates will report convictions and endorsement of licence to Superintendents of Police in conviction slips and after the necessary entries have been made in the register the slips will be kept in a personal file in order that a record of all convictions and endorsements may be available for reference in the event of the driver losing his licence and applying for a fresh one.

(2) Convictions entered in this register will in addition, be entered in the conviction register Form 3.47 (1) Part V when the offence for which a conviction is awarded is one required by rule 8.22 to be so entered.

This does not apply in the case of convictions under Section 16 of the Indian Motor Vehicles Act, 1939.

**3.47. Register Number (7).—The Village Crime Register.**—(1) This register shall be maintained in six parts as follows:—

**Part I** Notes on the village community containing the particulars required by Form 3.47(1) Part 1.

**Part II** The Crime Register, in Form 3.47 (1) Part II Cognizable cases decided by Panchayats shall be entered in parts II & V of this register as cases dealt with direct by magistrates.

**Part III** Cases traced to the village, in Form 3.47 (1) Part III. The term "cases traced to the village." as used above, shall be held to include only cognizable cases under chapter XVII. Indian Penal Code, in which strong suspicion rested on any resident of the Village whether the case occurred in the village itself or not. When a case under chapter XVII remains untraced or fails in the court the necessary entry in this register should never be omitted. Information sheets will also provide valuable material for making this important register complete. In combination with the conviction register it should be used as an index to the criminals of the Ilaka. A separate entry shall be made for each suspect with a separate serial number. When a person is again suspected, the fresh entry shall bear the same serial number as the previous suspicion and the number of suspicion shall be entered below it, in the form of a fraction similar to the system of numbering used in part V of this register.

**Part-IV. Vists to the villages of persons of doubtful character,**

i. e. :—

- (i) Persons whose history sheets are on record on Bundle A,
- (ii) persons established through information sheets (stranger roll) to be of doubtful character either by reason of having been suspected or convicted of offences in respect of which entries are required to be made in part III or part VI of their home police station or for other adequate reasons.
- (iii) persons arrested in the village under Section 55/109 Cr P. C. provided that no entry shall be made unless the persons concerned are placed on security.

**Note.**—This procedure will not apply in cases where particulars of the persons concerned would otherwise be normally entered by virtue of (i) and (ii) above.

**Part-V. Notes on crime in the village (Confidential) in Form 3.47****(1) Part V.**

**Part-VI.** The conviction register in Form 3.47 (1) Part VI (2) Parts I, II, III and IV shall be loosely bound together in a cover of standard pattern for each village or group of villages. When a group of closely allied villages is combined in one volume, separate pages in each part shall be allotted to each village. The prescribed cover for the village crime note book is obtainable from the Director, Printing and Stationery Department, Rajasthan.

(3) An alphabetical list of all convicts belonging to any town or village shall be bound up with parts I to V of the village crime register concerned and shall be kept up to date from the conviction register.

(4) Each part in each volume shall be pagged. The cover shall bear clearly on the outside the name of the village or villages to which it relates. The binding edges of the pages and of the cover shall be punched with two eyelet holes before issue from the office of the Superintendent of Police and tape shall be provided, so that the volumes may be neatly kept at all times but may be easily opened for the insertion of extra pages where necessary. Additional pages shall be given the same number as the page they follow and distinguished by consecutive letters of the alphabet.

(5) Part V shall be kept in separate volumes corresponding to the volumes of parts I to III, but shall be treated as confidential and shall remain in the personal custody of the officer in charge of the police station. Matters to be entered or detailed in rule 4 15.

(6) The whole of the village crime register is an unpublished official record relating to affairs of state and is privileged under section 123, Indian Evidence Act. No part of the register may be shown to, nor may any copy or extract therefrom or any information derived therefrom be given to, any person not entitled by his official position to obtain such information.

**3.48. The Conviction Register.**—(1) Part VI of the village crime register shall be maintained as a separate register, in volumes of not more

than 100 pages each, known as the conviction register. Entries shall be made by the officer in charge of the police station personally or, under his special or general orders, by such one of his subordinates as writes the best hand. Entries in this register shall be confined to the offences mentioned in rule 8.22.

(2) The conviction register is a permanent record of the crime and criminals of each village and of previous convictions, and is to a great extent the basis for the preparation of history sheets and other measures of surveillance.

(3) On the first page of each volume of the register shall be entered in alphabetical order a list of the towns and villages of the jurisdiction, the conviction record of which are contained in such volumes. The serial number of each town and village shall be entered to the left and a reference to the pages allotted to it to the right. At the end of the last volume of the register pages shall be allotted for the names of convicts, whose residence cannot be traced or who are residents of places outside India, but who commonly frequent the jurisdiction of the police station. So far as may be possible every conviction required to be entered in the register shall be entered in the pages allotted to the town or village in which the convict ordinarily resides. In all cases of conviction in an offence in the railway, the letter 'R' in red ink shall be entered in the remarks column of the entry in the conviction register. Information regarding the conviction shall also be sent by the Superintendent of Police to the Superintendent Government Railway Police, for the use of the Railway Police Central Investigation Agency. All subsequent convictions of offender shall also be communicated to the agency which will in turn communicate the information to the Railway Police Sub-Inspector charged with surveillance work and the maintenance of the original history sheet of the criminals.

(4) When two or more offenders are jointly convicted of committing one and the same offence and when there is reason to believe that they acted in concert, cross references shall be entered in the remarks column of the register drawing attention to the fact.

(5) When a convict has been classed "P.R." under rules the letters "P.R." and a general description of the convict, giving age, colour of hair and eyes, marks, scars, peculiarities of speech and gait as endorsed on his "P.R." slip, shall be entered in column three.

(6) When a person is reconvicted the fresh entry shall bear the same serial number in column one as the previous conviction, and the number of the convictions shall be entered below it, in the form of a fraction e.g. 16/3 signifies the third conviction of the person originally entered at serial number 16. The serial number allotted to a convict shall be a permanent one, just as a Constable's number is permanent. In the remarks column (column II) of each re-conviction entry shall be entered references to the number, offence and page of entry of previous convictions.



### Illustration

When the reconviction of a person having six previous convictions is made the entry in column II shall be of the following nature "379-1/3; 457-3/3 and 6/9 110 Code of Criminal Procedure 2m and 4/3, 19-XI/78 5/8". Here the first figure refers to the nature of the offence the numerator to the serial number of the conviction, and the denominator to the page of the register.

(7) Each entry shall be signed by the officer in charge of the police station personally, the conviction slip being retained till this has been done. At every inspection of a police station by a gazetted officer, the conviction register shall be produced and the inspecting officer shall attest every entry made since the last inspection, recording orders in column II regarding any action, such as the opening of a history sheet, which he may require to be taken. The inspecting officer shall also assure himself that orders given at previous inspections have been complied with, and shall erase or transfer the names of convicts, who are shown to his satisfaction to have died or permanently changed their residence.

3.49 Register Numbers (8), (9) and (10)—The surveillance registers shall be maintained in accordance with the orders contained in rules 4.4, 4.5 and 4.16.

Registers numbers (8), (9) 10), shall be destroyed two years after the date of the last entry.

3.50 Register Number (11):—An index to history sheets and personal files will be maintained in forms 4.14 (1) Part I and 4.14 (1) Part II.

3.51 Register Numbers 12 and 13—The registers of information sheets shall be maintained in the form and subject to the orders contained in rule 4.17. These registers shall be destroyed seven years after the despatch or receipt of the last sheet.

3.52. Register Number (14)—Minute book for Gazetted Officers:—  
(1) This is a blank book of foolscap size in which shall be entered the dates of all inspections and any matters requiring the attention of the officer incharge of the police station which have not been entered in the inspection report. Inspecting officers shall satisfy themselves that old volume of this register which form a valuable record of the past history of the police station, are intact.

(2) Notes should be made in this register of matters permanently affecting the condition of the police station, e.g. changes in police station or out post boundaries; imposition and removal of additional police posts; constructions of new buildings, etc.

(3) The register is a confidential and privileged record; with the exception of Gazetted police officers, no one except the District Magistrate may enter remarks in it or examine it.

3.53 Register Number (15)—File Book of Inspection Reports.—A file book shall be maintained for the record of gazetted officers' inspection reports. Covers of standard pattern in which reports can be kept without

risk of damage are obtainable through the annual indent for departmental forms. An index of inspection reports shall be maintained on the inside of the front cover.

**3.54. Register Number (16)**—This register shall contain 200 pages which shall be divided in four parts as follows:—

**Part I**—List of village watchmen in the station jurisdiction, with the days fixed for their attendance at the police station in Form 3.54 Part I

**Part II**—List of police officers attached to the police station with the dates of their appointment and transfer in Form 3.54 Part II.

**Part III**—Register of all Government property in use at the police station in Form 3.54 (III). A printed list of the various kinds of articles supplied to police stations will be sent out to all police stations before the 15th March and 15th September. This list will be completed (as regards the number of each article on change) from the balances in Part III of this register and will be submitted every half-year to the reserve inspector or Lines officer before the 31st March and 30th September. A note will be attached explaining all changes from the list last submitted quoting the dates of and the authority for all receipts, transfers, destruction or other disposal of property.

**Part IV**—List of all land in the police station jurisdiction which is Government property in the possession of the Police. The dimensions, area, locality, boundaries and boundary pillars of any place of worship or praying platform situated on police land shall be entered in this register. Such entries must correspond With the permanent record maintained at head quarters.

**3.55. Register number [17]—Register of Licenses.**—This register shall be maintained in separate parts as follows:—

**Part I**—List of arms act licenses sub divided into five parts, in Forms 3.55 Part I (1), Part I (2), Part I (3), Part I (4), Part I (5).

**Part II**—List of licences under the Excise Laws in Form 3.55 Part II.

**Part III**—List of licences under the Explosives Act, in Form 3.55 Part III.

**Part IV**—List of licences under the Petroleum Act, in Form 3.55 Part IV.

**Part V**—List of licences under the Poison Act in Form 3.55 Part V.

Parts I to V, except Form 3.54 Part I (4) may be destroyed one year after the expiration of the period for which the licenses were granted.

**3.56 Register number [18]—Receipts book for Arms, Ammunition and Military Stores**—A receipt book in Form 3.56 shall be maintained in which shall be entered a descriptive list in triplicate of all arms, ammunition or military stores deposited in, or seized and brought to, the police station when such seizure is not otherwise reported. The Form shall be made out

ty the carbon copying process. One copy shall be affixed to the weapon or articles, and the duplicate shall be given to the depositor.

This book shall be destroyed five years after the date of last entry.

**3.57. Register number (19)-The Store Room Register**—This register shall be maintained in Form 3.57.

With the exception of articles already included in register number 16, every article placed in the store room shall be entered in this register and the removal of any such article shall be noted in the appropriate column.

The register may be destroyed three years after the date of the last entry.

**3.58. Register number (20)—Cash Accounts.**—This register shall be maintained in form 3.58 (a) and 3.58 (b).

(1) A cash account shall be kept of all receipts and expenditure. This account shall be kept separately in two parts as follows:—

[a] Other moneys, such as receipt and disbursement of pay, travelling allowance, etc-

[b] Permanent advance.

(2) The account shall be balanced daily at the time fixed for the daily diary to close.

(3) At the end of the months any expenditure from the permanent advance, the recovery of which has been pending for over a month, shall be specially detailed.

(4) If the permanent advance becomes exhausted and further expenditure has to be incurred, the minus balance shall be shown in red ink. Such minus balance shall be shown also in the daily diary. Gazetted officer shall ensure that such entries in diaries are specially brought to their notice so that prompt measures may be taken to place the account in credit and to deal with those responsible for delay in the refund of advances.

(5) A permanent advance is intended to provide, on the responsibility of the officer entrusted with it, for emergent petty advances of all kinds or for such Payments as have to be made in advance of drawing bills.

(6) The officer incharge of the police station shall personally check the correctness of the cash account once a month and certify over his own signature in the register that he has done so.

**3.59. Register number (21)—File Book of Road Certificates**—A bound book of road certificates in Form 3.59 containing sufficient certificates in duplicate to last for three months, shall be issued to each police station as required.

Each certificate, both office copy and duplicate, shall be given an annual serial number for each police station and, when returned receipted, the copy issued or the receipt in lieu thereof shall be pasted on to the place from which the copy issued was taken.

Each book shall be destroyed when the last certificate therein is three years old.

3.60. Register number (22)—Printed Receipt Books.—(1) Printed receipt books in form 3.60 each containing 100 receipt forms in duplicate shall be issued to each police station.

(2) The pages of such books shall have printed serial numbers office copies and duplicates having the same numbers and only one such book shall be in use at a time.

(3) It shall be the duty of the station clerk to count and stamp with the station seal the receipts in the book before bringing it into use. Any receipt missing or bearing a wrong printed page number shall, before the book is brought into use, be brought to the notice of the officer in charge of the police station and a report entered in the daily diary

(4) For all sums of money received in a police station, whether in cash or otherwise on any account whatever, a receipt from this book shall be issued to the remitting party under the signature of the officer incharge of the police station or the station clerk, The officer signing the receipt shall satisfy himself that necessary entry has been made in the cash account which shall be duly attested under his initials at the same time.

(5) The road certificate if any, received with the money shall be pasted in place of the receipt issued in the receiving police station. The receipt issued in lieu thereof shall be pasted in the remitting office in place of the road certificate issued.

Note:— A road certificate is only an acknowledgement and not a receipt.

3.61. Register number (23)—Police Gazette, and (24)—Criminal Intelligence Gazette—The Police Gazette and the Criminal Intelligence Gazette will be neatly filed in card-board covers immediately on receipt. All orders contained in the Gazette affecting the officers of the police station as a whole or any individual officer, shall be announced at the first roll call held after the receipt of the Gazette,—vide rule 3.11.

Gazetted officers will see at inspections that these rules are carefully followed and that all orders, etc, in Gazette are properly dealt with.

3.62. Register number [25]—Police Rules—All copies of Police Rules must be kept up to-date and Gazetted officers shall see that this is done as soon as correction slips are received from the press.

3.63. Register number [26]—Charge notes of officers incharge of police stations—A blank register of full-cape size shall be maintained in every police station, in which the officer incharge of the police station, on handing over charge on permanent transfer, shall record a confidential charge note for the assistance of his successor. This note should not re-capitulate matter which is already on record in Part IV of the village crime register or in other register of the police station, but should deal with miscellaneous local information, which the outgoing officer has gathered

during his stay in the jurisdiction, and which would be lost to his successor if not recorded. Matters which may suitably be mentioned in these charge notes are—

- (a) the character and capacity of members of the staff of the police station including notes of constable who are specially useful for particular types of work :
- (b) residents of jurisdiction who are useful to the police as informers or helpers and others who are particularly to be guarded against;
- (c) directions in which co-operation with other police stations is specially necessary owing to the habits of the criminals of one or the other jurisdiction;
- (d) special factors affecting crime such as immigrations of labour, local customs or superstitions etc.;
- (e) matters of temporary importance such as serious cases under investigation, preventive action pending, or important order under compliance.

This list is not intended to be exhaustive, the object of confidential charge note is that miscellaneous information, which the experience of successive officers accumulates, and which would not otherwise come on to record, should be available to new comers.

3.64. Station clerk as officer incharge of the police station—In the absence of senior officers, the station Clerk is frequently called upon to act as officer incharge of the police station. He must, therefore, be fully acquainted with all powers, responsibilities and duties of that officer as laid down in the law and in Police Rules. The most important of these and the most important of the other duties devolving on the station clerk and not already detailed in the chapter are—

- (1) registration of cognizable cases and action subsequent to registration—Rule 5.1.
- (2) recording of complaints in non-cognizable cases—Rule 5.3.
- (3) despatch of special reports—Rule 5.11.
- (4) disposal and completion of case files and completion of registers on the passing of orders in cases—Rule 8.22.
- (5) carrying out arrests—Rule 7.8.
- (6) granting of bail—Rule 7.20.
- (7) submitting applications for remands to police custody—Rule 7.25 (2).
- (8) patrolling at rural stations—Rule 4.1.
- (9) issuing orders on the use of handcuffs—Rule 7.22.

In all these matters the station clerk will be guided by the rules referred to and connected law

3.65 Visit of chowkidars to police station.—(1) The visit of village watchmen to police stations mentioned in Rule 2.3(4) shall be so arranged that while no inconvenience is caused to the watchmen concerned. They shall arrive at the police station on different days as far as possible. Oppor-

tunity shall be taken of these visit by the police station staff to obtain local information of occurrences in villages, to disseminate intelligence relating to crime, absconders, etc., and to impart instructions as to the action required by village officials on the occurrence of crime etc.

(2) Officers in charge of police stations will be held responsible that village watchmen on their periodical visit to the police station are not detained, and that their services are not utilised in improper ways. Any disobedience of these orders must be severely dealt with and Gazetted officers should personally enquire when on tour and ensure that these instructions are strictly complied with.

3.66. Orders regarding notices.—When it is considered necessary to record or communicate to other police stations information regarding unidentified, corpses, missing persons, unclaimed, lost or stolen cattle or other property, notices in the forms given below shall be prepared by the carbon copying process, and despatched to the Central Investigation Agency at head quarters and to such police stations as the officer in charge of the police station thinks fit, care being taken that only property easy of identification is included:—

(a) Unidentified corpses—Form 3.66 (1) (a).

(b) missing persons, Form 3.66 (1) (b).

(c) Unclaimed property, including cattle—Form 3.66 (1) (c).

(d) Property lost or stolen including cattle Form 3.66 (1) (d).

(2), If the matter is urgent the necessary copies shall be made at and despatched direct from the police station, otherwise notices shall be submitted to the Central Investigating Agency at head quarters where the required number of copies shall be made by means of duplicating process and despatched without delay to such police stations or posts as the submitting officer may recommend and also, in exceptional cases where such a course is likely to prove effective to the office of Superintendent of Police, Crime, for publication in the Criminal Intelligence Gazette. In addition, in all important cases, the information should be communicated to the chowkidars visiting the police station with a view to its circulation throughout the jurisdiction of the police station.

(3) Office copies of the notices referred to shall be kept and these, as well as the notices received from other police stations, shall respectively, be given an annual serial-number under each class separately and filed for seven years in two bundles, one containing notices of the home police station and the other those received from other police stations.

(4) Notices shall be compared with a view to tracing missing persons, owners of unclaimed property, establishing identity of unidentified corpses, etc. and results noted in the column of remarks.

(5) In the case of similar notices received from other districts or States, Superintendent shall exercise their discretion as to the police stations

to which they should be circulated and the necessary number of copies shall be made in their own offices if duplicate copies are not received from the forwarding district.

## CHAPTER IV

### Prevention of Offences

**4.1. Patrolling at rural stations.**—(1) The Officers in charge of Police stations and Assistant Sub-Inspectors at those stations shall move about in their jurisdictions freely. They shall pay special attention to villages where crime has occurred, or where registered bad characters and suspects whose history sheets are on record live, but shall visit every village occasionally, for the purpose of adding to their local knowledge, becoming known to the people, collecting information, and checking the proper performance of their duties in relation to crime by chowkidars.

(2) Information regarding the mode of livelihood of bad characters shall be obtained mainly by personal visits and enquiry, but head constables and constables shall, from time to time, sent to village with definite orders to ascertain whether certain specified bad characters are present or not, and trace the whereabouts of proclaimed offenders or absconders.

Except to carry out definite orders constables shall not be deputed to visit villages, but they may be deputed to visit ferries, camping-ground, motor vehicles stands and other places of public resort for the purpose of collecting information, maintaining order or other police purpose.

**4.2. Co-operation with railway police at stations.**—(1) Where possible, a constable in plain clothes shall be deputed from the police station to each railway station within its jurisdiction to meet all trains which halt there and to keep a look-out for bad characters and suspicious persons.

Constable who have special knowledge of local bad characters shall be selected for this duty.

(2) Particulars regarding any known or suspected bad character observed taking a ticket or travelling in a train shall be reported to the railway police, if any are on the platform also to the travelling constable.

(3) Any information received from the railway police regarding bad characters or suspicious persons alighting from a train shall be communicated to the officer in charge of the police station.

**4.3. Patrolling by villagers.**—The organization of 'pahra' on voluntary basis and 'nakabandi' is one of the most important duties of the officer in charge of a police station. Such an organization should be carefully planned with the object of providing the best protection against criminals and securing that duties are allotted fairly and with as little inconvenience to the individual as possible. Areas of locations or patrols and pickets should be carefully selected and the available strength of police should be disposed to the best advantage for assisting and supervising parties

of villagers. Village official should be encouraged to participate actively in this duty; their responsibilities should be insisted upon, and energy and co-operation should be promptly rewarded. Gazetted officers and Inspectors are required to take a close personal interest in this branch of preventive action.

Nakabandi shall on no account be regarded as a matter of routine. Nakabandi is better worked on a voluntary basis, through the good will of the communities concerned. These services should be demanded temporarily and for special purposes only during epidemics of crime.

**4. 4. Surveillance Register No. 8.**—(1) In every police station, other than those of the railway police, a Surveillance Register shall be maintained in form 4.4 (1).

(2) In Part I of such register shall be entered the names of persons commonly resident within or commonly frequenting the local jurisdiction of the police station concerned, who belong to one or more of the following classes :—

- (a) All persons who have been proclaimed under section 87, Code of Criminal Procedure.
- (b) All released convicts in regard to whom an order under section 565, Criminal Procedure Code, has been made.
- (c) All convicts the execution of whose sentence as suspended in the whole, or any part of whose punishment has been remitted conditionally under section 401, Criminal Procedure Code.
- (d) All persons restricted under Rules of Government made under section 8 of the Rajasthan Habitual Offenders Act, 1953.

(3) In part II of such register may be entered at the discretion of the Superintendent:—

- (a) persons who have been convicted twice, or more than twice, of offences mentioned in rule 8.22;
- (b) persons who are reasonably believed to be habitual offenders or receivers of stolen property whether they have been convicted or not;
- (c) persons under security under sections 109 or 110, Code of Criminal procedure;
- (d) convicts released before the expiration of their sentences under the Prisons Act and Remission Rules without the imposition of any conditions.

**Note :—**This rule must be strictly construed, and entries must be confined to the names of persons falling in the four classes named therein.

**4.5. Entries in and cancellation from Surveillance Register.**—(1) The surveillance register shall be written up by the officer in charge of the police station personally or by an Assistant Sub-Inspector in a clear and neat



script. No entry shall be made in Part II except by the order of the Superintendent, who is strictly prohibited from delegating this authority. No entry shall be made either under the personal direction of, or on receipt of a written order from, an officer authorised by this rule to make them. In the latter case original orders shall be attached to the register until the entry has been attested and dated by a Gazetted Officer.

(2) Ordinarily, before the name of any person is entered in Part II of the surveillance register, a history sheet shall be opened for such person.

If from the entries in the history sheet, the Superintendent is of opinion that such person should be subjected to surveillance he shall enter his name in Part II of the surveillance register; provided that the names of persons who have never been convicted or placed on security for good behaviour shall not be entered until the Superintendent has recorded definite reasons for doing so.

The record of such reasons shall be treated as confidential and persons concerned shall not be entitled to a copy thereof.

**4.6. Notice to Panchas.**—When a surveille has been declared a proclaimed offender a notice shall be issued to the Sarpanch of the Village in which the surveille used to reside and the receipt of such information having been received by a Sarpanch shall be obtained. On the receipt of such notice the Sarpanch shall make utmost efforts to ascertain the whereabouts and to assist in the capture of the proclaimed offender.

**4.7. Mode of Surveillance.**—(1) Police surveillance shall comprise such close watch over the movements of the person under surveillance, by police officers, as village watchmen, as may be practicable without any illegal interference.

(2) Care shall be taken not to have, under surveillance in any police station more persons than the police station staff can reasonably be expected to watch efficiently.

**4.8. Preparation of history sheet.**—The initial preparation of a history sheet requires great care, and should invariably be done by the officer in charge of the police station himself or by a thoroughly experienced Assistant Sub-Inspector under specific orders.

(1) The description of the criminal should be such as will enable the person reading it to form for himself a picture of the individual described, special attention being given to peculiarities of appearance, gait, speech, etc. by means of which the man may be distinguished.

(2) The space for "relations and connections" should be filled in with a view to affording clues to those persons with whom the criminal is likely to harbour when wanted by the police, including relations or friends living at a distance from his home and his associates in crime, abettors and receivers. The particular nature of each person's connection should be

noted against each, and, when persons shown as connections themselves have history sheets, a cross reference with those sheets should be given.

(3) Under property, and mode of earning livelihood, such particulars should be entered as will facilitate a judgement as to whether the criminal is at any time living beyond his means, whether he is capable of furnishing a personal recognizance of any value, whether he is an owner of property, a tenant or a wage-earner and so on.

(4) The "description of crime to which addicted" should be in some detail, showing not merely the class of the crime, but the particular type of that crime, methods followed, localities chiefly frequented, weapons or instruments used etc.

When these particulars have been carefully and concisely entered, the initial entry on the reverse side of the form should be made in the form of a summary of individual's criminal career up to the date of this history sheet being prepared, and should include the particular reasons and authority for its being prepared. Copies of history sheets prepared and published by the Criminal Investigation Department and published in the Criminal Intelligence Gazette shall be filed with the history sheets of the persons concerned in their home police stations. The police station history sheets in all such cases will be endorsed with the letters C. I. D. and the criminal's state numbers in red ink. The activities of all such criminal subsequent to the publication of their history sheets must be communicated promptly to the Criminal Investigation Department Agency. Duplicate of the sheets of criminal known or suspected to operate on the railway shall be supplied to the nearest railway police station and the originals of such sheets shall be endorsed with the letter 'R' in red ink. The District Police shall also supply the Railway Police station with copies of all subsequent entries made in such History Sheets, so that the Railway Police copies may be kept strictly up-to-date.

**4.9. History Sheets when opened.**—(1) A history sheet, if one does not already exist, shall be opened in Form 4.9 for every person whose name is entered in the surveillance register, except conditionally released convicts

(2) A history sheet may be opened by, or under the written orders of, a police officer not below the rank of Inspector for any person not entered in the surveillance register who is reasonably believed to be habitually addicted to crime or to be an aider or abettor of such persons.

(3) The Government Railway Police will maintain the history sheets of criminals known or suspected to operate on the railway in accordance with Police Rule 4.8. They will open history sheets themselves for criminals living in railway premises, who have been absent from their original homes so long that the railway premises may be regarded as their permanent residence. They may also open history sheets for wandering strangers reasonably believed to be habitually addicted to crime on the railway, whose original homes cannot be traced.

**4.10. Custody of history sheets.**—(1) The history sheets at each police station shall be kept in three separate bundles as follows :—

(a) Bundle containing the history sheets of persons whose names are entered in the surveillance register.

(b) Bundles containing the history sheets of persons whose names are not entered in the surveillance register and which have not been removed to personal files under rule 4.12. In this bundle should be recorded the history sheets of persons who (1) have been removed from surveillance on probation owing to there being no recent complaints against them, but who cannot be said definitely to be no longer addicted to crime, (2) have been the subject of action under rule 4.26, but have not yet been placed on security for good behaviour or under surveillance.

(c) Bundle containing the history sheets of bad characters undergoing sentences of imprisonment sufficiently long to justify the removal of their names from the surveillance register until their release. These history sheets shall be put up by the officer in charge of the police station before a gazetted officer for orders six months before the nominal date of the release of the bad character concerned.

(2) In each bundle, the history sheets of each village shall be kept in a separate cover on the inside of which a list of the history sheets pertaining to the village with their index serial numbers shall be maintained. The prescribed covers for history sheets are obtainable from the Director of Printing and Stationery Department, Rajasthan.

**4.11. Checking of History Sheets.**—Gazetted officers on tour and Inspectors shall personally check the entries in history sheets by local enquiry, in the presence of the persons concerned, and so far as possible, their homes. Such officers shall also carefully scrutinise the conviction register (Rule 3.48), in order to see that history sheets are opened or properly kept up, as the case may be, for all convicts, whose record justifies such action.

In checking history sheets of proclaimed offenders they shall make sure that constant and recent enquiries have been made to ascertain the proclaimed offenders whereabouts and to effect his capture, whether he be in the jurisdiction or elsewhere, and that all necessary information about the proclaimed offender and his associates has been obtained from or communicated to other districts and police stations.

**4.12. Treatment of history sheets and personal files.**—(1) The history sheet of a person who is no longer addicted to crime shall be transferred to his personal file. Under no circumstances shall the history sheet of a person who is undergoing sentence be relegated to his personal file.

(2) The history sheet and personal file of a person who takes up his residence permanently in another police station jurisdiction shall be transferred to such police station.

(3) The history sheet and personal file of a person who dies shall be destroyed.

(4) All disposal actions referred to in this rule shall be taken in accordance with the orders of a gazetted officer.

**4.13. Personal files, maintenance and disposal of—**(1) The starting of a personal file should always be the first stage in compiling the record of a suspect. As soon as suspicions have come into record regarding an individual to an extent which indicates that he is addicted to crime or is the associate of criminals, such record should be tabulated to form the foundation of a personal file. Subsequently, all information obtained about such person, whether in his favour or against him, shall be added to his file. The personal file shall form the main material by which superior officers will be guided as to whether to open a history sheet or not. It follows that a personal file must be maintained for every person of whom a history sheet exists. On such file, 'bad character rolls,' papers relating to information sheets etc., shall be recorded (See rule 4.17 (7) (b) in this connection.)

(2) All personal files shall be paged and indexed.

(3)(a) The personal files of persons for whom history sheets have been opened shall be given the same serial number as the history sheet and kept separately in a bundle.

(b) The personal files of persons for whom no history sheet exists shall be kept in a separate bundle. These files shall not be numbered, but a list of them shall be kept in the bundle and they shall be arranged according to villages.

(4) To prevent the under accumulation of useless personal files, the Superintendent may, at his discretion, order the destruction of the personal file of any person of whom a history sheet does not exist when such person has been of good behaviour continuously for seven years and the up-keep of his personal file appears unnecessary.

**4.14. Index to history sheets and personal files.—**(1) A register containing a general index to history sheets and personal files shall be maintained in two parts.

Part I shall consist of a list in Form 4.14 (1) Part I of the history sheets and personal files in serial orders as they are opened.

Part II shall be an alphabetical index in Form 4.14 (1) Part II.

(2) When a history sheet is opened it shall be given a permanent serial number and entered in the general index. Such number shall not be altered when the history sheet is transferred from one bundle to another, and shall not be re-allotted until the history sheet is destroyed or transferred to another police station.

**4.15. Part V of Village Crime Register.—**To ensure that the confidential notes on village crime are kept up methodically and that information

contained in them can be readily referred to, all entries should be classified under headings as follows:—

- (i) Notes regarding influential individuals residents in or connected with the village, who habitually abet or share in the proceeds of crime or shelter criminals.
- (ii) Special types of lawlessness or crime to which inhabitants of the village are addicted.
- (iii) Notes on gangs, with cross reference in the books of other villages to which members of the same gangs belong, and particulars of the associates and methods of such gangs.
- (iv) Notes on personal, land, communal and other feuds, which are liable to cause breaches of the peace or to effect evidence in investigations.
- v) Notes on fairs and similar occasions requiring the special attention of the officer in charge of the police station.
- vi) Notes on individual criminals which supplement and facilitate reference to history sheets for instance; list of habitual railway thieves, cattle thieves etc., with the localities they chiefly operate in; lists of criminals of other villages or jurisdictions who commit crime in the villages.
- (vii) A list of convicts released under Rajasthan Prisons (Shortening of Sentences) Rules, 1958.
- (viii) A list of respectable inhabitants of the village who have migrated to colony areas and who can provide important information regarding proclaimed offenders and absconders.
- (ix) Convictions under sections 124-A and 153-A Indian Penal Code.

**4.16. Enquiry (Bad Character) Rolls.**—(1) Upon receipt of information regarding the departure of a person, who is under surveillance from his home or his residence, the officer incharge of the police station shall send a (enquiry bad character) roll prepared by the carbon copying process in Form 4.16 (1) (Police Station Register No. 10-A), to the officer in charge of the police station to whose jurisdiction such person is believed to have gone. A roll shall similarly be sent when credible information is received of the presence of a proclaimed offender in another police station.

(2) The Officer receiving the enquiry (bad character) roll shall acknowledge its receipt and shall take steps to ascertain whether the bad character has arrived within his jurisdiction, and, if so, shall arrange to have his movements watched, or, in the case of a proclaimed offender arrest him and take suitable action against his harbourers.

A note of the movements and doings of the bad character shall be made in the roll, and if he moves on to another police station, the roll shall be forwarded to such police station and the same procedure followed. An

entry regarding each such roll received shall be made in police station register No. X-B Form 4. 16 (2).

(3) When the roll is received back in the police station from which it was originally despatched a note of any useful information recorded there in shall be made in the history sheet and the roll filed with the personal file, the acknowledgement referred to above being attached to the foil, of the enquiry (bad character) roll. The date and time of the bad characters return to his home shall be verified and noted on the back of the roll before it is finally filed.

(4) If a notorious bad character or a convict, who has been classed P. R. T. under the rules (in the Police Finger Palm and Foot print Manual), absents himself and is likely to visit two or more districts, a copy of his bad character roll shall be sent to the office of the Superintendent and Form 4. 16 (4) completed and submitted to the Superintendent of Police, Crime, for publication in the Criminal Intelligence Gazette.

When necessary, information regarding the movements of such persons may be communicated by telegraph.

(5) The district police shall send information by the quickest means to the Railway Police station concerned about the absence of a bad character for whom the Railway Police maintains a history sheet. Message should be sent by telephone or telegram where possible and enquiry (bad character) rolls should be forwarded without delay. Information should also be given to the Superintendent of Police who will pass it on as quickly as possible to the Superintendent of Police, Government Railway police.

4. 17. Information sheets:—(1) Information sheets in Form 4 17 (1) shall be used by an officer for the double purpose of obtaining and communicating informations about residents of other police station jurisdictions who are known or believed to have visited his police station jurisdiction with criminal intent.

(2) Information sheets shall be issued by an officer in charge of a police station as a means of ascertaining the antecedents of Persons—

(a) who are genuinely believed to have committed an offence whether or not they have been or are to be arrested;

(b) who have been arrested under section 55, Criminal Procedure Code.

(c) who are genuinely believed to be of suspicious character.

The Officer in charge of Police Station shall send an information sheet in form 4. 17 (1) as soon as possible to the officer in charge of the police station of which such person claims to be resident, giving:—

(i) an account of the circumstances in which such person came to notice.

(ii) an account of the offence, if any with which such person is believed to be connected.

(iii) the names and a statement of the characters of the persons with whom such person has been associating, and

(iv) any statement made by such person about his own reputation and status and associates in his own jurisdiction.  
and enter its despatch in Police Station Register, No. XII Form 4. 17 (2)

(3) Continuation information sheets shall be issued whenever necessary as a means of communicating information obtained or genuine suspicions formed after the issue of the original information sheet.

(4) Final information sheet shall be issued as soon as possible after the conclusion of the police investigation, or of the judicial trial, or of the magisterial proceedings. Such final reports shall as far as possible be drafted by the officer incharge of the police station himself and shall be summary of the whole matter, giving in detail the result of the investigation or trial or proceedings, the names of coaccused or associates, if any; the names of sureties and of discredited defence witnesses, if any; the places if any where property was recovered or absconders found, and any other facts that may be of value for criminal intelligence records.

Information sheets, original, continuation and final, shall be issued in triplicate. The officer incharge of the police station shall send one copy to the Superintendent of police of his own District to enable the criminal investigation Agency to extract any information of value; and shall send the other two copies to the officer incharge of the police station.

(6) The officer incharge of a police station receiving an information sheet in duplicate shall cause an entry to be made to register XIII Form No. 4.17 (6), the index of information sheets received. He shall then record on the back of the copies all the information about the person, such as his antecedents, relations and associates as may help the enquiring officer in his investigation or in his search for absconders or for co-accused or for stolen property. One copy shall then be returned to the enquiring officer and the other copy shall be filed in the police station receiving the information sheets.

(7) (a) In the Police station issuing the information sheets of persons finally considered to be of criminal or suspect character shall be filed in bundles according to the village visited by such person, and within such village bundle according to the type of crime to which they are suspected of addiction.

(b) In the police station receiving the information sheets of persons finally considered to be of criminal or suspect character shall be filed with their Personal files, if any, if there is no personal file, and if none is started on receipt of the information sheet, it shall be filed according to the village of residence and within the bundle relating to such village according to the type of crime of which the person is suspected.

(c) In both issuing and receiving police station Information sheets of persons finally considered to be of good character shall be destroyed.

4. 18. Hue and cry notices.—(1) Whenever it is required to have a search made for an absconding suspect, or to issue warnings for precautions to be taken against a particular type of offences or particular individuals, the officer incharge of the police station or the investigating officer shall, in addition to such action as may be taken in accordance with rules 7.5 issue a hue and cry notice in Form 4.18 (1). The officer who decides to issue such a notice shall personally complete the original form, recording all descriptive and other information which may assist the recipient of the Form to take effective action paying particular attention to the specification of the routes and places to be watched. He shall cause the original form to be conveyed as speedily as possible to the police station, with precise instruction as to where copies are to be sent after the necessary entry has been made in Register No (4). Hue and cry notices shall not be broadcast indiscriminately, but shall be sent with the utmost despatch to those places whether within or outside the jurisdiction of issue, where special action is required. In all cases, when an absconder is likely to travel by railway, copies of hue and cry notices shall be sent to the railway police stations and outposts concerned.

(2) A copy of every hue and cry notice of an absconder shall also be sent to the office of the Superintendent of Police, in order that an entry may be made in the district register of absconders (rule 4.20) and that, if the Superintendent of Police or head of the prosecuting branch thinks fit, copies may be sent to other districts or to the Criminal Investigation Department.

(3) In cases where the absconder is known to have associates, relatives, or resorts in two or more districts and when the offender is not immediately arrested, a notice in Form 4.18 (1) shall be sent to the Superintendent of Police, Crime, for publication in the Criminal Intelligence Gazette. In cases where a reward is offered the amount should be stated on the form.

(4) Officers incharge of police station receiving hue and cry notices shall take immediate action, as the circumstances of each case may indicate to be necessary.

(5) Care shall be taken that, whenever the necessity for action asked for in a hue and cry notice ceases to operate; a notice of cancellation shall be issued to all to whom the original notice was sent.

4.19. Dissemination of intelligence of serious offences.—(1) In cases of murder by dacoits or robbers, drugging with intent to rob, dacoity, serious robbery and serious offences involving interference with the working of the railway, when the culprits are not immediately apprehended, the officer incharge of the police station shall send written notices, or telephone or telegraph messages, to neighbouring police stations and to such other police stations as are concerned, whether in the same district or not, giving all particulars likely to afford a clue to the offenders. He shall also arrange for the dissemination of such intelligence throughout his jurisdiction.



(2) In order that this rule 4.18 above, shall be promptly complied with, officers incharge of police stations shall have ready a system by which intelligence can be quickly disseminated. They shall use for this purpose any telephone and telegraph system existing, the visits of chaukidars and other persons to police stations, the post office and any other existing local means.

**4.20. District Register of absconders.**—(1) In each district a register of absconders in Form 4.20 (1) shall be maintained by the head of the prosecuting agency. The register shall be divided into two parts:—

**Part I**—will contain the names of all absconders in cases of the home district, irrespective of their residence about whom information in Form 3.44 (a), or otherwise, has been received.

**Part II**—will contain the names of absconders in cases of other district who are resident of the home district or likely to visit it. All entries regarding residents of the home districts shall be made in red ink.

The names in both parts shall be entered, as far as possible, according to the police stations of which the absconder is resident or from which he is absconding.

(2) As soon as an absconder has been proclaimed under section 87, Code of Criminal Procedure, his name shall be entered in the Proclaimed offenders register prescribed in Rule 4.22 (1); a note being made in the column for remarks to this effect.

(3) Should action under section 87, Code of Criminal Procedure, not be taken against an absconder for any reason, such as lack of evidence, etc., his name shall be struck out and a remark added giving reasons in the column for remarks.

(4) When a person whose finger impression slip is on record absconds, information of the fact shall be sent to the Finger Print Bureau. All re-arrests of such absconders shall be communicated to the Finger Print Bureau.

(5) When a habitual offender, as defined in Rajasthan Habitual Offenders Act absconds, information of the fact together with as many particulars of the individual as possible, shall be communicated promptly to Superintendent of Police, Crimes. All re-arrest of such absconders shall also be communicated to that officer.

**Note:**—(1) A separate register shall be maintained for absconders who belong to the category of habitual offenders, wanted in connection with offences under the Rajasthan Habitual Offenders Act, 1953.

(2) The term absconder shall be held to mean a person accused of a cognizable offence against whom the officer incharge of the police station concerned considers that there is sufficient evidence to justify his arrest, but whose whereabouts are unknown.

4 21. Register showing progress of action against absconders and proclaimed offenders.—In order that a proper check may be kept on the progress of action prescribed in rule 2.5 and 7.5, the head of the prosecuting agency, shall maintain a register in Form 4 21. The register shall be examined at frequent intervals by the Superintendent of Police, gazetted officers and inspectors in supervisory charge of police stations and by prosecuting officers, and the latter shall be held responsible that no delay in proclamation and attachment of property or perfunctory action in regard thereto, whether on the part of police officer or the court, is allowed to occur.

4.22. Register of proclaimed offenders —(1) A register of proclaimed offenders in Form 4.22 (1) shall be maintained in each district by the head of the prosecuting agency. The register shall be into two parts:—

Part I—shall contain the names of all residents of the home-district irrespective of the district in which proclaimed. The names shall be entered according to the police station of which the proclaimed offenders are resident.

Part II—shall contain the names of all offenders proclaimed in but not resident of the district. These will be entered, as far as possible, according to the district of which they are said to be resident, residents of independent territory being shown separately.

(2) In January of each year a statement in form 4.22(2) shall be submitted to the Deputy Inspector General, Criminal Investigation Department showing the result or action taken against proclaimed offenders during the past year. An abstract of such a statement shall be prepared in the office of the Deputy Inspector General, Criminal Investigation Department, and published in the Police Gazette. The figures relating to proclaimed offenders, who are registered as habitual offenders shall be given separately.

4.23. Revision of lists of proclaimed offenders.—(1) Every Superintendent shall carefully revise his list of proclaimed offenders periodically and omit therefrom, after consultation with the District Magistrate and the Superintendent of district in which such person was proclaimed, the names of persons accused of trivial offences or concerned in cases where, from lapse of time, no sufficient evidence is on record or is procurable.

(2) Due intimation of such omission shall be sent to the officer in-charge of the police station concerned; intimation shall also be sent to the Deputy Inspector General, Criminal Investigation Department, in those cases in which intimation of proclamation was given, or in which a notice issued in the Criminal Intelligence Gazette.

4.24. Procedure when person is proclaimed an offender.—(1) Immediately proceedings under section 87, Criminal Procedure Code, have been taken, intimation shall be sent by the prosecuting agency to the station initiating such proceedings and to the proclaimed offender is believed to be a resident. The intimation shall be sent through the Superintendent of Police.

med is a resident of another district. The primary responsibility for securing the arrest of such offender rests with the police of the station in which he is a resident. Immediately on receipt of intimation of proclamation of a resident of the police station jurisdiction a history sheet shall be opened, particulars being ascertained from the police station, which has instituted proclamation proceedings. If necessary and the offender's name shall be entered in Part I of the Surveillance Register.

(2) Thereupon intimation in form 4.24(2) shall be sent to the watchman of the village of which the proclaimed offender is a resident, and intimation in the same form shall be sent separately, and through the police stations concerned, to the watchman of all villages where the proclaimed offender is known to have relatives or friends whom he is likely to visit. When the offender is a resident of a police station other than in which he is proclaimed, the officer in charge of the latter police station shall immediately furnish the police station of the offender's residence with all available information for the completion of his history sheet and issue of notices.

(3) Whenever a proclaimed offender is arrested, intimation shall be sent direct to the district and police station of which he was a resident. On receipt of such intimation a note shall be made in the surveillance register of the date and place of arrest, and his name shall be struck off the register, and intimation issued respecting him shall be withdrawn and his history sheet submitted for orders of disposal.

**4.25 List of proclaimed offenders at Police Stations.**—(1) A list shall be hung up in the office of each police station, and a duplicate thereof in a conspicuous place on the police station notice board, of all proclaimed offenders whose names have been entered under rule 4.5 above in the surveillance register.

(2) Every police officer shall be instructed, as soon as possible after joining a police station, the names, descriptions and likely resorts of all proclaimed offenders included in the list prescribed above. Police Officers shall be frequently tested by officers in charge of police stations and inspecting officers in their knowledge of proclaimed offenders and shall be required at all times, when moving about the jurisdiction, themselves to obtain all possible information which may facilitate the arrest of such offenders and to inform the public of the proclamation of arrest and of any reward offered, and warn them of the penalties of harbouring.

**4.26 Proceedings under section 110, Criminal Procedure Code Act V of 1918.** When the history sheet of a bad character furnishes sufficient material, a report shall be prepared in Form 4.26 with a view to this being called upon to furnish security under section 110, Code of Criminal Procedure, or restricted under the provisions of the Rajasthan Habitual Offenders Act (9 of 1953).

The preparation of such reports shall not be undertaken without the orders of a gazetted officer or inspector. When possible a number of such

cases shall be prepared and connected for presentation to the magistrate of the ilaqa on tour at some place near the home of the accused persons and witnesses.

**4.27 Surveillance records confidential.**—All records connected with police surveillance are confidential nothing contained in them may be communicated to any person nor may inspection be allowed or copies given, save as provided in Police Rules. The rules regarding their production in court are contained in Chapter VIII.

**4.28 Preventive action under sections 151 and 107, Code of Criminal Procedure.**—Section 151, Code of Criminal Procedure empowers a police officer knowing of a design to commit any cognizable offence to arrest the person so designing, if it appears to such officer that the commission of the offence cannot otherwise be prevented.

These are the only circumstances under which the law empowers police officers to interfere in disputes between individuals where interested parties, or village officials, complain of apprehension of a breach of the peace.

Police officers have no power to investigate formal complaints under section 107, Code of Criminal Procedure, except as provided in section 23, Act V of 1861. They shall, however, be on the constant look out for genuine information of disputes likely to lead to a breach of the peace. Such information, whether collected direct or received by complaint at the police station, shall be recorded in the daily diary, and a copy of the complaint forwarded without delay to the magistrate of the ilaqa, unless an immediate breach of the peace is anticipated, when the officer incharge of the police shall act under section 151, Code of Criminal Procedure, on his own responsibility. Government has held that it is important that magistrates receiving such reports from the police should give immediately to them their close and personal attention and take suitable action on the merits of each report.

Complaints of this nature made to superior police officers shall not be endorsed for enquiry by officers incharge of police stations unless it is anticipated that action under section 151, Code of Criminal Procedure, will be required and in no case shall, endorsed complaints be despatched to officers incharge of police station by hands of the complainants or informants or otherwise than through a strictly official agency. Complainants in cases in which no action under section 151, Code of Criminal Procedure, appears necessary shall be referred to the magistrate of the ilaqa.

**4.29 Convicts released before expiration of sentences under the prisons Act and remission rules.**—The Government of India have decided that all remissions earned under the remission rules by prisoners of any class in jail are to be considered absolute and not to be made subject to the imposition to any condition.

As it is desirable, however, for the police to be apprised of the release of such convicts, a descriptive roll in Form 4.29 of all such convicts will be sent by the Superintendent of the Jail to the Superintendent of Police

of the district, of which the convict is a resident. The Superintendent of Police, shall in an examination of all the relevant circumstances exercise his discretion as to whether any such convict shall be subjected to police surveillance or not or whether preventive action is to be taken by the preparation of a history sheet or a personal file.

**4.30 Convicts conditionally released under section 401, Criminal Procedure Code.**—(1) When a convict is to be conditionally released under section 401, Criminal Procedure Code the Superintendent of Police will be supplied by the State Government through the District Magistrate with,—

(a) A certified copy of the order of conditional release with the date of release endorsed on it, and

(b) A descriptive roll of the convict.

(2) If release is subject to conditions of police surveillance, the rules framed by Government in this regard shall be applied.

(2) If release is subject to other conditions and the police are required to take measures to secure the observance of these conditions, the Superintendent of Police shall issue suitable order and instructions to subordinate officers concerned.

**4.31 Conditional release under the Probation of Offenders Act, 1958.**—The selection of convicts for probational release and their control shall be in accordance with the terms of the Act and the Rules framed thereunder. The police have no powers or duties in this respect. The Chief Probation Officer shall inform the Superintendent of Police of the District where he is to be employed prior to the release of the prisoner. A list of such convicts shall be maintained by the officers incharge of Police Stations concerned in their confidential note book. No surveillance shall be exercised by the police over such persons who should be given every opportunity to take their places as respectable members of society, but officers incharge of police stations shall report, through the Superintendent of Police, to the nearest Probation Officer, any reliable information received regarding the commission of crime, absence or other breach of the conditions of release by them.

The Probation officer may call upon the Superintendent of Police to enquire into the conduct of convicts released on probation and to render assistance in tracing, arresting and escorting to jail, persons who have contravened the conditions of their bond. Such requests shall be complied with.

**4.32 Release notice of prisoners.**—The following instructions regarding the disposal of release notice shall be observed:—

(1) The release notices of prisoners classed P.R.T. shall be forwarded by the Superintendent of Jail direct to the Superintendent of Police CID Crime Branch, at least two months before the date of release.

(2) The release notices of prisoners classed P.R. shall be made over by the Superintendent of the Jail, from which such prisoners are to be released to an officer to be specially deputed for the purpose by the local

Superintendent of Police. In the case of persons to be released from the Jail of the district in which they were convicted, the release notices shall be made over to the police on the Saturday preceding the dates of release. In the case of persons to be released in a district other than that in which they were convicted, the release notices shall be made over to the police at least one month prior to the dates of release.

**4.33. Procedure when release notices are received.—(1) P. R. T. Convicts.—**

- (a) on receipt of the release notices of P.R.T. Convicts, the Superintendent of Police, C.I.D., Crime Branch, Rajasthan, shall take such action as may be necessary in his office and shall then forward the notices in original, by registered post, to the Superintendent of Police of the district of which the criminal is a resident. The latter officer, on its receipt, shall cause it to be entered at once in the district Finger Print Register (Prescribed in Finger Palm and Foot Print Manual) and shall cause translations in Form 4.33 (1) to be despatched to the police station of conviction, if the convict was convicted in his district, and to the police station of residence as in accordance with rules. all convicts classed R T. are required to be released from the jails of their home districts.
- (b) If the convict is a resident of another State, an extract of the release notice shall be forwarded by the Superintendent of Police, C.I.D., Crime Branch, Rajasthan to the Criminal Investigation Department of the State concerned.
- (c) If the criminal is a resident of the Rajasthan, but of a district other than that in which he was convicted, the Superintendent of the Police, C.I.D., Crime Branch, Rajasthan shall also forward a copy of the release notice to the district of conviction.

**(2) P.R. Convicts.—**On receipt under rule 4.32(2) of release notices of prisoners classed as P.R. the following procedure shall be observed:—

- (a) In the case of a person to be released in the districts, of which he is a resident and in which he was convicted, necessary entries shall be made in the District Finger Print Register; information in Form 4.33 (1) shall be sent to the Police Station of residence without delay, but the release notice shall be filed.
- (b) In the case of a person to be released in the district, of which he is a resident on expiry of a sentence inflicted in another district, the Police Station of residence shall be informed in Form 4.33(1), a duplicate copy of the release notice shall be prepared and forwarded without delay to the district of conviction for completion of the District Finger Print Register, and the original release notice shall be filed.

- (c) In the case of a person to be released in the district in which he was convicted but who is a resident of another district in Rajasthan a duplicate copy of the release notice shall be prepared, necessary entries shall be made in the finger Print Register and the original release notice sent to the district of residence to be filed. If the convict is a resident of a State other than that of Rajasthan, or is of unknown residence, or has not fixed residence, the original release notice shall be retained and filed. All such notices shall be kept together in a separate file.

The release notice of a prisoner who has died shall be forwarded by the Superintendent of Police of the district of which the prisoner was a resident to the Finger Print Bureau for disposal and the name of such person shall be erased from the conviction register.

**4.34. Surveillance over released prisoners.**—(1) Within ten days of a prisoner's release the officer in charge of the Police Station of residence shall report whether or not he has return to his home.

(2) If the release notice refers to a convict classed P.R.T. the Superintendent shall take suitable measures to have such convict shadowed and shall note the substance of any orders issued in this connection in Form 4.33(1) sent to the police station.

(3) Should a release notice refer to a person convicted of an offence on the Railway an extract shall be sent by the Superintendent of the district of which such criminal is a resident to the Superintendent Government Railway Police.

**4.35. Released convicts with regard to whom order under section 565, Code of Criminal Procedure, has been made.**—(1) The mode of surveillance over released convicts in regard to whom an order under section 565, Code of Criminal Procedure, has been made shall be according to the rules framed by the Government in this regard.

(2) Changes of residence of such convicts shall be entered in their history sheets and reports thereof made in Form 4.35 (2).

(3) On the expiration of the period for which the surveillance of a released convict is ordered the Superintendent shall exercise his discretion as to whether such prisoner's name shall be transferred to Part II of the Surveillance Register or not.

**4.36. Control of Professional Criminals.**—(1) Files of important cases of a special type shall be maintained in the Crime Branch of Criminal Investigation Department, together with History Sheets of important State criminals, and a brief account of the offences for which convicted. The class of offences in which such records are to be maintained are :—

(a) Administering stupefying drugs with intent to rob;

(b) Offences relating to coin, counterfeiting coin and the forgery of Government Currency Notes;

(c) Professional cheating;

(d) Dacoities and offences committed by professionals, such as gang burglaries,

(e) Theft of arms and ammunition;

(f) Offences indicating a special technique.

(2) Reports of such cases, containing all important particulars shall be forwarded by Superintendent of Police to the Superintendent of Police, C.I.D., Crime Branch as they occur.

**4.37. Distribution of professional criminals.**—On the conviction of a gang of professional criminals the Superintendent shall, if he considers such a course advisable, forward to the Superintendent of the Jail for submission to the Inspector-General of Prisons a recommendation giving the *names of members of the gang who should be separated and confined in different jails.*

A copy of such recommendation shall be forwarded to the Deputy Inspector-General, Criminal Investigation Department.

**4 38. Immigrants.**—Certain sections of immigrants to Rajasthan are addicted to crime; all such immigrants, Whether nomadic or settled in towns and villages, should therefore be observed, and enquiry should be made with a view to ascertaining their antecedents. Should any such immigrants be suspected of criminal propensities, information should be sent; as early as possible, to the Superintendent of Police, Crimes, who is in a position to supply the district police with the services of an experienced officer.

**4.39. Control of traffic in Police Station jurisdictions.**—Police officers attached to Police Station shall pay attention to the control of traffic on the roads of their jurisdiction. It is part of the duty of officers present at Police Stations to take legal action in respect of traffic offences committed by traffic passing the station house and similarly themselves to take cognisance of or report all such offences, which may come to their notice while travelling in their jurisdiction.

By constant warnings and prosecutions under the appropriate section of the Indian Penal Code, or special laws, in flagrant or recalcitrant cases, the amenties of traffic can and shall be ensured. The keeping of slow-moving traffic to the side of road; the prevention of obstructions of the road by gross overloading of carts; the prevention of cruelty to animals and overloading tongas; the enforcement of the rules under which public motor vehicles are allowed to ply, especially in respect of authorised loads, display of the required particulars on vehicles, validity of permits and driving licenses, and legibility and correct position of registration plates are all part of the duties of the staff of police station. Supervising officials shall insist on the proper performance of these duties.



## CHAPTER V

## Information to the Police

**5.1. First information how recorded.**—(1) Section 154 and 155, Code of Criminal Procedure, provide that every information relating to an offence, whether cognizable or non cognizable, shall be recorded in writing by the officer incharge of police station.

(2) With the exception of cases mentioned in rule 5.8; in every case in which the officer incharge of a police station, form information or otherwise, has reason to suspect the commission of an offence, which he is empowered under section-156, Criminal Procedure Code, to investigate, he shall enter in full such information or other intelligence as soon as practicable in the First Information Report Register, shall have each copy signed; marked or sealed by the informant, if present, shall seal each with the station seal, and shall dispose of the copies in accordance with rule 5.5 and if he abstains from investigation under either of the provisions to section 157 of the Code he shall submit the copy intended for the Magistrate through the Superintendent. At the same time a reference to such report shall be entered in the Station Diary Register No. 2.

(3) All such entries shall; if possible be made by the officer incharge himself, and, if not, so possible, by the station clerk under his direction. Short lists of property stated to have been transferred by the offence may be entered in the report, as also details of any property recovered without search under section 103 Code of Criminal Procedure, but detailed lists of property so transferred or recovered on search shall be entered in the first case diary submitted in the case.

(4) When it is necessary to question a person bringing information of the commission of an offence, special attention shall be paid to the following matters and the result of the inquiries shall be clearly recorded in the first information report:—

(a) The source from which the information was obtained and the circumstances under which the informant ascertained the names of the offenders and witness (if any are mentioned).

(b) Whether the informant was an eyewitness to the offence.

**5.2. Written reports by Village Panchayat.**—(1) Whenever a written report of a cognizable offence is received at a police station, it shall be attached to the copy of the First Information Report which is retained in the police station and copies shall be attached to the duplicates provided that only the check receipt prescribed by the form need to be sent to the complainant. The original written report shall be detached from the police station copy of the First Information Report and attached to the charge sheet or final report when the investigation is completed. When a case is sent up on an incomplete charge sheet the original report shall be similarly attached.

(2) A notice in Hindi shall be prominently displayed in every police station in the State, drawing the attention of the public to the fact that the payment of gratuities by the public to police officials for recording complaints is strongly disapproved by Government. The notice shall state as briefly as possible that police officials are the servants of the public and paid by it, and that acceptance of gratuities is strictly forbidden by the rules of the police department and renders defaulters liable to serious penalties. The notice shall conclude with an admonition that demands for such gratuities should be invariably resisted and reported to the Superintendent of Police.

**5.3. Action on report of non-cognizable offence.**—Where the information relates to a non-cognizable offence, it shall be briefly but intelligibly recorded in the station diary, shall be signed, sealed or marked by the person making it on both foil and counterfoil, and all particulars required by section 44 of Police Act (Act V of 1861) shall also be noted. A copy of the entry in the diary made by the carbon copying process and signed and sealed with the station seal by the recording officer, shall be made over to the informant who shall be referred to the Magistrate in accordance with section 155, Code of Criminal Procedure

**5.4. Action when reports are doubtful.**—(1) If the information or other intelligence relating to the alleged commission of a cognizable offence is such that an officer incharge of a police station has reason to suspect that the alleged offence has not been committed, he shall enter the substance of the information or intelligence in the station diary and shall record his reasons for suspecting that the alleged offence has not been committed and shall also notify to the informant, if any, the fact that he will not investigate the case or cause it to be investigated.

(2) If the Inspector or other superior officer, on receipt of a copy of the station diary, is of opinion that the case should be investigated, he shall pass an order to that effect.

(3) When a counterfeit currency note is found in circumstances which indicate that owing to absence of guilty knowledge no offence under section 489-B, Indian Penal Code or cognate section has been committed, the information shall be recorded under section 154, Criminal Procedure Code, in the station diary; the special report required by rule 5.13 shall be submitted and enquiry shall be made to trace the point in the movements of the note at which a cognizable offence appears to have been committed. When reasonable suspicion of such commission arises a First Information Report shall be recorded in the Police Station concerned and investigation under section 157, Criminal Procedure Code, shall be made

**5.5. First Information Report Register.**—(1) The First Information Report Register shall be a printed book in Form 55 (1) consisting of 200 pages and shall be completely filled before a new one is commenced. Books shall bear an annual serial number in each police station for each calendar year. Every four pages of the register shall be numbered with the same.

number and shall be written at the same time by means of the carbon copying process.

The original copy shall be permanent record in the police station. The other three copies shall be submitted as follows :—

- (a) One to the Superintendent of Police or other gazetted officer nominated by him.
- (b) One to the magistrate empowered to take cognizance of the offence as is required by section 157, Criminal Procedure Code.
- (c) One to the complainant-unless a written report in form 5.5(1)(c) has been received in which case the check receipt prescribed will be sent.

(2) In case relating to cognizable offences triable by Panchayat one extra copy of the first information report shall be prepared on plain paper bearing the seal of the Police Station. and shall be sent to the Panchayat concerned for information, mention being made in the body of the F. I. R. that this action is being taken.

(3) In the case of the railway police, the copy intended for the Magistrate empowered to take cognizance of the offence shall be submitted through the Superintendent of the district police; provided that a railway police stations, other than district headquarter stations, where there is a magistrate having jurisdiction, one copy shall be sent to such magistrate direct, one to the Deputy Superintendent of the Railway Police and another to Superintendent of District Police. The extra copy required in such cases will be made by inserting an extra sheet of paper and carbon paper and afterwards filling in the printed headings, etc; by hand.

(4) All information required by the form shall be filled in, and thereafter the serial number of each case diary submitted shall be noted on the reverse of the original copy which is to remain at the police station.

(5) On the conclusion of the case the particulars contained in the charge sheet slip shall be filled in on the reverse of the original copy and the slip returned to the Superintendent's office.

**5.6. Cancellation of cases.**—Unless the investigation of a case is transferred to another police station or district, no first information report can be cancelled without the orders of a magistrate of the I Class.

When information or other intelligence is recorded under section 154, Criminal Procedure Code and, after investigation, is found to be maliciously false or false owing to mistake of law or fact or to be non-cognizable or matter for a civil suit, the Circle Officer shall send the first information report and any other papers on record in the case with the final report to a magistrate having jurisdiction and being a magistrate of the first class, for orders of cancellation. On receipt of such an order the officer in charge of the police station shall cancel the first information report by drawing a red line across the page, noting the name of the magistrate cancelling the case

with number and date of order. He shall then return the original order to the Circle Officer's office to be filed with the record of the case.

5.7. Register of Petty Offences.—A book, to be called the register of Petty Offences, consisting of one hundred blank pages with printed headings, in Form 5.7 shall be kept up as a permanent record at each police station, where there is a resident magistrate having power to entertain complaints of the offences hereinafter mentioned, and whose headquarters is either:—

- (i) a town to which section 34 of Act V of 1861 has been extended.
- (ii) a military cantonment.
- (iii) a place outside the limits of a military cantonment to which any of the rules and regulations for such cantonment have been lawfully extended

5.8 Register of Petty Offences Classes of Offences to be entered—The offences which may be recorded in the register mentioned, and which are referred to in the last preceding rule, are:—

- (1) cognizable offences under municipal by laws;
- (2) offences under section 34 of Police Act (Act V of 1861) committed in the view of a police officer;
- (3) cognizable offences under cantonment rules and regulations

5.9. Register of Petty Offence—Procedure—(1) The Register of Petty Offences shall be sent daily whenever offences are reported and when the courts are open, to the magistrate empowered to take cognizance of them.

No first information report, case diary or charge sheet shall be submitted in such cases.

(2) A return shall be submitted from such police stations as maintain the register at the end of each month to Circle officers showing the entries in the register and an annual return shall be submitted to District Superintendent of Police through the Circle Officer.

Such return shall be recorded by the return writer in the general crime register.

5.10. Special reports from police stations—(1) Every officer incharge of a police station shall, as soon as possible after he receives information of the commission within his jurisdiction of an offence mentioned in the subjoined table, submit a special report in Form 5.10 to the officer, or officers, mentioned in the third column of the table; provided that if a first information report containing the same information is required by law to be sent to any such officer, and is sent with equal despatch, no special report need be sent to the officers who receive first information reports.

(2) Special reports and first information reports sent in lieu of them shall be enclosed in red envelopes. In case of non-availability of red envelopes, the envelope shall be marked in red ink as containing special report.

**5.11. Despatch of Special Reports.**—Officers incharge of police station shall be held responsible for communicating special reports with the greatest possible despatch to the officers concerned and in serious cases shall make free use of the telegraph and telephone and radio communication.

**5.12. Special Reports by Superintendents.**—(1) Every Superintendent shall, as soon as possible after he receives information of the occurrence within his jurisdiction of a case mentioned in the table sub-joined in this rule submit special reports in Form 5.12 to:—

- (i) the District Magistrate;
- (ii) the Deputy Inspector General of Police of the Range;
- (iii) the officer mentioned in the third column of the table; and
- (iv) any neighbouring Superintendent, whom he considers should be informed of the occurrence;

(2) The officers to whom special reports are forwarded in accordance with this rule shall be detailed on each copy of the report.

(3) officers shall be responsible that special reports are concisely and intelligently written and that developments of the case and important stages in its progress are promptly reported by continuation special report.

**5.13. Forgery of currency notes and coining cases.**—(1) In special reports of forgeries of stamps, fraudulent alterations and re-use of stamps full particular of the case shall be given, and specimens of the fraudulent stamps shall, if available, be sent with such reports to Deputy Inspector General of Police, Criminal Investigation Department.

(2) In cases of counterfeiting coin, the reports should contain full information on the following points :—

- (i) The represented value of the coins which are counterfeits, i.e., counterfeits of a rupee, and 25 paisa and 50 paisa coin pieces;
- (ii) The date on the counterfeit coin;
- (iii) Whether cast in a mould; or
- (iv) Struck between dies;
- (v) Good, bad, or indifferent if bad or indifferent, why so considered, i.e., want of sharpness, ring different from that of a true coin, or other cause;
- (vi) Metal of which made and percentage of metal;
- (vii) Is Superintendent of opinion from the facts before him that any person arrested is an habitual dealer in false coin?

**Explanation.**—The information under sub-rule (2) (vi) above will be obtained from personal observation, a local inquiry from a silversmith, or otherwise, as may be practicable. In all cases where the coins appear to have been struck from a die and are good imitations, a specimen of the counterfeit coin or coins should, if possible, be sent to the Master of the Mint, India Government Mint, Alipur, Calcutta for report, and when his report is received, a copy should be sent by continuation special report. All coins to

be assayed should be sent direct to the Mint Master, Calcutta and not through the Inspector-General.

(3) On the appearance in any district of any forged currency note of Rs. 10/- or more in value, or of any new forgery of a currency note of any value, the Superintendent shall send a copy of the special report required by the rules above to the Master, Indian Security Press, Currency Note Press, Nasik Road. Such reports shall state whether the note is process made or hand drawn and given the denomination of the forged note, the circle, the date, the serial letter, the number, and the consecutive number, continuation and final report shall be submitted to the Criminal Investigation Department in duplicate giving particulars of the notes passed and the modus operandi of the forgers or utterers and of other persons concerned. On the completion of the police enquiry, the note shall be sent to the Master, Indian Security Press, Currency Note Press, Nasik Road, through the Criminal Investigation Department together with a report explaining the facts. Special reports of forgeries of currency notes, or of the appearance of forged currency notes, of less than Rs. 10/- in value are not required in the case of old forgeries which have come to notice before and have appeared in the list printed in the Criminal Intelligence Gazette, but a list of the presentation of all such forgeries of notes of less than Rs. 10/- in value should be submitted on the first of each month, together with the notes in question, to the Master, Indian Security Press, Currency Note Press, Nasik Road, through the Criminal Investigation Department.

**5.14. Continuation and final reports.**—(1) Each successive special report in the same case shall bear the same number as the first report and shall be distinguished by the addition of a capital Roman letter in the order of the alphabet.

**Illustration.**—The first special report of the murder of X is No. 20. The next special report shall be numbered 20 A, the next 20 B and so on.

(2) Successive special reports shall be submitted regularly as prescribed from time to time.

(3) A final report shall be submitted without delay in all cases when (a) the investigation is dropped or (b) the case is finally decided in court.

**5.15. Record of Special Reports.**—A separate file shall be opened for each case and should be regularly checked.

## CHAPTER VI

### Investigation

**6.1. Power to investigate.**—(1) An officer in charge of a police station is empowered by section 156, Criminal Procedure Code, to investigate any cognizable offence which occur within the limits of his jurisdiction.

(2) He is also empowered under section 157(1), Criminal Procedure Code, to depute a subordinate to proceed to the spot to investigate the facts and circumstances of the case and, if necessary, to take measures for the discovery and arrest of the offender. Any police officer may be so deputed under this section, but where a police officer below the rank of assistant sub-inspector is deputed the investigation shall invariably be taken up and completed by the officer incharge of the police station or an assistant sub-inspector at the first opportunity.

(3) An officer incharge of a station shall also render assistance whenever required to all officers of the Criminal Investigation Department working within his jurisdiction.

**6.2. Powers of Investigating officers.—**(1) The powers and privileges of a police officer making an investigation are detailed in sections 160 to 175, Criminal Procedure Code.

An officer so making an investigation shall invariably issue an order in writing in Form 6.2 (1) to any person summoned to attend such investigation and shall endorse on the copy of the order retained by the person so summoned the date and time of his arrival at, and the date and time of his departure from the place to which he is summoned. The duplicate of the order shall be attached to the case diary.

(2) No avoidable trouble shall be given to any person from whom enquiries are made and no person shall be unnecessarily detained.

(3) It is the duty of an investigating officer to find out the truth of the matter under investigation. His object shall be to discover the actual facts of the case and to arrest the real offender or offenders. He shall not commit himself prematurely to any view of the facts for or against any person.

**6.3 Action when offence occurring in another police Station is reported.—**When the occurrence of a cognizable offence in another police station jurisdiction is reported, the fact shall be recorded, in the daily diary and information shall be sent to the officer incharge of the police station in the jurisdiction of which the offence was committed. Meanwhile all possible lawful measures shall be taken to secure the arrest of the offender and the detection of the offence.

**6.4. Where offence appears to have occurred in other Police Station.—**

(1) If a police officer, after registering a case and commencing an investigation discovers that the offence was committed in the jurisdiction of another police station he shall at once send information to the officer incharge of such police station.

(2) Upon receipt of information such officer shall proceed without delay to the place where the investigation is being held and undertake the investigation.

**6.5. Disputes as to jurisdiction.—**Should the officer who is thus summoned to the spot dispute the jurisdiction, both officers shall jointly carry

on the investigation under the orders of the senior officer and neither shall leave until the question of jurisdiction has been settled and acknowledged. The case record shall be kept at the police station where the information was first received until the question of jurisdiction has been decided.

**6.6. Relieving and relieved officers to sign case diaries.**—When a police officer is relieved in the course of an investigation he shall record a report of all that he has done in a case diary and sign it, giving the date and hour of his relief. Such case diary shall be made over to the relieving officer who shall certify thereon that he acknowledges the case to have occurred within his station limits, or to be one which he is empowered to investigate, as the case may be.

**6.7. Cancellation of a case in one Police Station and registration in another.**—When a case is transferred from one police station to another, the offence registered in the original police station shall be cancelled by the Superintendent and a first information report shall be submitted from the police station in the jurisdiction of which the case occurred.

**6.8. Cases which may be lawfully investigated in more local areas than one**—(1) If the case is one which the officer in charge of the police station may lawfully investigate, but which may also be lawfully and more successfully investigated in another police station, such officer while continuing his investigation, shall refer the matter to the Superintendent who shall transfer the case or not as he sees fit.

(2) If it is desired to transfer the case to a police station in another district, the Superintendent shall refer the matter to the Deputy Inspector General.

(3) When an investigation has been transferred from one district to another the police files with original first information report shall be forwarded to the Superintendent of the district to which the transfer is made.

**6.9. Optional investigation.**—(1) Section 157 (b), Criminal Procedure Code, gives wide powers to an officer in charge of a police station to refrain from investigation in unimportant cases. It is the duty, however, of every officer receiving a report to consider not only the intrinsic importance of the offence alleged and the expressed wishes of the complainant but the bearing which the report has or may have on the detection of other cases or on the prevention of crime and the control of criminals. Very many cases which appear trivial in themselves, may, if investigated furnish a clue to the operations of professional criminals or afford valuable material at a later date for preventive action. In practice it is seldom advisable for an officer in charge of a police station to avail himself of the power to refuse investigations, which the law gives him.

(2) When, at the time when a report of a cognizable offence is received, the investigating staff of the police station concerned is already occupied with more important cases, the investigation of which would suffer by being interrupted, such report shall be duly recorded and investigation



may be dispensed with. Such action shall not be held to limit the discretion of the officer in charge of the police station to investigate the case at the later date, if he thinks it desirable to do so.

(3) If the informant is present when the first information report is recorded, he shall be informed forthwith that no investigation will be made, and, after noting this fact in the first information report, his signature or thumb-mark shall be taken on it. If the informant is not present, he shall be informed in writing by postcard, or by the delivery of a notice by hand, and the fact that this has been done shall be noted in the first information report.

(4) When investigation is dispensed with, a note shall be made in the first information report stating whether the complainant desires an investigation or not and full reasons shall be given for abstaining from investigation. All such cases shall be brought promptly to the notice of the Circle Officer, who shall pass such orders on them as he may think fit in accordance with the principle embodied in this rule.

**6.10. Immediate despatch of an officer to the spot.**—When report of cognizable case is recorded and it is decided not to dispense with investigation under section 157 (b), Criminal Procedure Code, a police officer shall proceed to the scene immediately. The officer who first proceeds to the spot, shall, if he be not competent to complete the investigation, take all possible steps to preserve the scene of the crime from disturbance, to record particulars of and secure the presence of potential witnesses, obtain information relating to the case and arrest the culprit.

**6.11. Investigation in non-cognizable cases.**—(1) No police officer shall investigate a non-cognizable offence unless ordered to do so by a competent magistrate under section 196-B or 202, Criminal Procedure Code.

(2) When an investigation in a non-cognizable case is thus ordered and is taken up by the police under section 155 (3), Criminal Procedure Code, it must be carried through in the same manner as if the offence were cognizable, except that no arrest shall be made without a warrant. In every such case a police officer making an investigation shall day by day enter his proceedings in a case diary and submit them daily as prescribed for cognizable cases in police Rule 6.51. Case diaries shall be submitted through the Circle Officer concerned to the Court which has ordered investigation. No copies shall be prepared or kept by the police.

**6.12. Orders in writing.**—All orders in writing made in a case i. e. order to arrest, to search and to summon, etc, shall be attached to the case diaries, or their absence shall be satisfactorily accounted for.

**6.13. Plan of scene**—(1) In all important cases two plans of the scene of the offence shall be prepared by a qualified police officer or other suitable agency one to be submitted with the charge sheet or final report and the other to be retained for departmental use.

(2) The following rules shall govern the preparation of maps or plans by patwaris or other expert :—

- (i) In ordinary cases no demands for such maps will be made upon patwaris.
- (ii) In the case of heinous crime, especially in cases of murder or riots connected with land disputes, the police officer investigating the case will, if he considers an accurate map is required, summon to the scene of the crime the patwari of the circle in which it occurred and cause him to prepare two maps, one for production in court as evidence and the other for the use of the police investigating agency. In the former reference relating to the facts observed by the police officer should be entered while in the latter references based on the statement of witnesses which are not relevant in evidence may be recorded. He will be careful not to detain the patwaris longer than is necessary for the preparation of the maps.
- (iii) It is necessary to define clearly the responsibility of the patwari and police officer in respect of these maps.
- (iv) The police officer will indicate to the patwari the limits of the land of which he desires maps, and the topographical items to be shown therein. The patwari will then be responsible for drawing the maps correctly, by tracing, if necessary, the second copy, for making accurately on maps all these items and for entering on the maps true distance. He will not write on the map, intended for production as evidence in the court any explanations. The police officer may write any explanations on the traced copy of the map.
- (v) It is for the police officer himself to add to the second copy of the map such remarks as may be necessary to explain the connection of the map with the case under inquiry. He is also responsible equally with the patwaris for the correctness of all distances, but on the copy of the map drawn by the patwari for presentation in court he will make no remarks or explanations based on the statements of witnesses.
- (vi) It will be convenient if all the entries made by the patwari are made in black ink, and those added by the police in red ink.

**6 14. Technical Assistance in investigation.**—(1) Investigating officers are expected to take steps to secure expert technical assistance and advice, whenever such appears desirable in the course of an investigation for purposes of evidence or for demonstration in court.

(2) The Criminal Investigation Department is able to obtain expert technical assistance on many subjects and should be freely consulted in that connection by investigating officers through their Superintendents of Police. When such assistance is required a full report shall be sent to the Superin-

tendent of Police, Criminal Investigation Department, Crime Branch, so that he may be in a position to decide whether it is essential to send an expert to the scene of the Crime or whether the material to be dealt with should be sent to the expert. In making such reports use should be made of telegraphic, telephonic and radio communication facilities.

(3) The Criminal Investigation Department, in conjunction with the Finger Print Bureau, undertakes photographic and some other varieties of technical work related to scientific aids to investigation. In addition it is in contact with technical experts on many subjects, whose services can frequently be obtained for work in connection with criminal investigation. That Department is also the channel for obtaining the service of the Inspector of Explosives who, as well as advising on explosives generally, can give expert opinion as to whether a weapon has been recently fired, whether certain matter is gunpowder or not, and all questions generally savouring of chemical analysis.

6.15. Examination of handwriting, arms and ammunition, etc.—The above rules do not apply to references to the Finger Print Bureau and the Chemical Examiner to the Rajasthan Government or to the State Examiner of questioned documents, to whom, under the rules applicable. Superintendents of Police are required to make references direct. The Criminal Investigation Department is, however, in direct contact with all these technical officers and investigating officers should enlist its co-operation when any specially intricate work is required of them.

(2) Nothing in the preceding sub-rule shall debar a Superintendent of Police or Investigating Officer from availing himself of any expert technical assistance, which may be directly available to him, for the purpose of investigation. If expert evidence is to be given in court, however, it should be provided by Government experts only when such experts exist.

(3) In connection with the examination of arms and ammunition, arsenal official should only be required to report, and if absolutely essential, give evidence (i) on technical factory points, e. g., whether a weapon is in serviceable condition; whether a particular part of a weapon is factory or mistri made, and the like; (ii) on the type of ammunition intended to be used (not can be used) as experience shows that there is practically no limit in this respect in a particular weapon, and (iii) whether a cartridge has been reloaded, nature of load, and the like. Arsenal shall not be used for elaborate and definite sworn testimony as to whether a particular missile was or not fired from a particular weapon. Should districts desire, for opinion of this nature they may apply to the Criminal Investigation Department for assistance but such reference should be confined to cases of major importance only.

6.16. Cases against Government servants.—When a Government servant is accused or is suspected of the commission of an offence in the course of his official duties his immediate departmental superior, shall, as far as may

be wise and practicable, be kept informed regarding the course of the police investigation.

**6.17. Supervision by Circle Officers—**(1) In all important cases Circle Officers are required personally to superwise the investigation so far as is possible and when necessary to visit the scene of the offence.

(2) Every Circle Officer shall maintain a running note-book of offence (Crime Digest) in which he shall enter the salient points of the first information report and case diaries. The following are some of the points that should be entered in this note-book:—

**First Information report.**—(a) Police Station, village section, date and time of offence.

(b) Distance of village from police station and date and time of investigation opening.

(c) Name and rank of investigating officer, who should always be the senior officer available. Reasons for junior officer taking up cases should be most carefully checked; and

(d) Salient features of the case.

**Case Diaries.**—(a) Dates of the case diaries

(b) By whome written and where; and

(c) Salient features.

All unnecessary delays in the course of investigations in challaning successful cases or in submitting final reports in untraced cases should be carefully observed and stopped. Deputy Inspectors General and District Superintendent of Police shall call for these note books at their inspections and insist on their being intelligently used for the purpose of efficient supervision of investigations.

(3) Circle Officers shall interest themselves in the challans of cases in their charge as they come in and discuss them with the prosecuting inspector, and if possible with the officers who investigated them; and shall keep in touch with the proceedings in court.

(4) Every Circle Officer should bring to the notice of the District Magistrate through the proper channel, any unnecessary delays that occur in dealing with cases in courts, instances in which witnesses come up with challans and are sent back unheard, and delays in framing charges, hearing arguments or pronouncing judgments.

(5) Circle officers should follow closely the progress of cases in their charge through the courts and they should ascertain, as soon as possible, the grounds for all discharges and acquittals if the grounds for discharges or acquittals appear to be unreasonable, they should at once bring the cases prominently to the notice of the District Magistrate through the Superintendent of Police.

**6.18. Statement recorded undersection 161, Code of Criminal Procedure:—**Statement recorded by an investigating officer under section 161, Code of Criminal Procedure shall not form part of the case diary prescribed by section 172 but shall be recorded separately and attached to

the case diary, the necessary number of copies being made by the carbon copying process on case diary continuation sheets (Form 6.52). The number of statements attached to a particular case diary, and the number of pages in each statement, shall be noted in the case diary. An investigating officer after examining a person orally or recording a statement under section 161, Code of Criminal Procedure, shall make a brief note of the fact in his case diary:—

**6.19. Communications of official documents of information.**—It is a universally recognised and fundamental principle of Police procedure that the identity of sources and agents from whom secret information is obtained shall be known only to the officer who employs them and that every precaution shall be taken to protect them from exposure. Except by direction of the Governor, a Police officer shall on no account disclose the identity of a source or agent to any officer or person outside the Force. Within the Force he shall disclose it only to or as ordered by the superior officer mentioned below. In the Criminal Investigation Department this superior officer is the Deputy Inspector General in the case of the whole department and the Superintendent of Police, Special Branch and Superintendent of Police Criminal investigation Department, Crime Branch as regards the Special and Crime Branches, respectively. In a district it is the Superintendent of Police or the Circle Officer immediately under whom the Police officer employing an agent or a source is working. When information obtained from an agent has to be transmitted to others, the greatest care shall be exercised to avoid the exposure of such agent. The original report, or an extract copy of the original report shall not be transmitted but the substance or a paraphrase shall be sent.

(2) All sources of Police information are protected in judicial trials by sections 124 and 125 of the Indian Evidence Act which provide respectively that no public officer should be compelled to disclose communications made to him in official confidence and that no Magistrate or police officer shall be compelled to say whence he obtained any information as to the commission of any offence. Instructions regarding the production of police records as evidence are contained in rule 8.18

**6.20. Medico Legal Opinion.**—(1) Persons requiring examination at the headquarters of district shall be taken to the Civil Hospital and not to a branch dispensary. Similarly in rural areas, where a hospital is accessible, medico-legal cases shall be sent there and not to a rural dispensary.

(2) Medical officers may not be called upon to proceed to the scene of an occurrence to examine injured persons except in cases of real urgency and when it is impossible to convey the injured person to the nearest dispensary or hospital.

(3) All medical officers in charge of hospitals and dispensaries are required to report to the nearest police station within 24 hours all cases of

serious injury or of poisoning admitted by them for treatment, whether such cases have been brought in by the police or not.

(4) Police officers should refrain from sending persons whose injuries are obviously slight for medico-legal examination, and should exercise their discretion in obtaining a medical opinion as to whether injuries received by complainants constitute a cognizable offence.

(5) Medico-legal cases not requiring urgent attention should be sent for examination during Hospital hours only.

**Note:—**This rule does not entitle the medical officer concerned to refuse to examine a case out of hours because in his opinion it is not an urgent one.

(6) The unnecessary summoning as witnesses of medical subordinates, to the detriment of their proper activities, shall be avoided as far as possible, and, when the attendance of such an officer is necessary, as much notice as possible shall be given to him. When the necessary evidence can be given by the investigating officer or by another medical witness stationed at the place where the case is being prosecuted a medical subordinate should not be summoned from a distance merely to give corroborative evidence.

**6.21. Wounded complainants and witnesses.—**(1) When a complainant or a witness of importance in an important case is seriously ill or is wounded, but does not appear to be dying, the police officer making the investigation shall prepare a charge sheet in accordance with rule 6.54 if this has not already been done and shall either:—

- (a) with such persons consent, send him or her, for medical treatment to the station of the magistrate having jurisdiction and invite such magistrate to take such persons deposition in the presence of the accused person, or
- (b) if such complainant or witness cannot be moved, or refuses to be sent, such officer shall apply for an order of detention in respect of the accused person if he is in custody and such order is necessary, and invite the magistrate having jurisdiction to record the deposition of such complainant or witness in the presence of the accused person at the place where the former is lying.

**6.22. Dying declarations.—**(1) A dying declaration shall, whenever possible, be recorded by a Magistrate.

(2) The person making the declaration shall, if possible, be examined by a medical officer with a view to ascertaining that he is sufficiently in possession of his reason to make a lucid statement.

(3) If no magistrate can be obtained, the declaration shall, when a gazetted police officer is not present, be recorded in the presence of two or more reliable witnesses unconnected with the police department and with the parties concerned in the case.

(4) If no such witnesses can be obtained without risk of the injured person dying before his statement can be recorded, it shall be recorded in the presence of two or more police officers.

(5) A dying declaration made to a police office should, under section 162, Code of Criminal Procedure, be signed by the person making it.

6.23. Medical examination of women.—No examination by a male medical officer of a living woman's person shall be made without a written order from a magistrate, addressed to the Medical Officer, directing him to take such examination.

In all cases in which the police consider such an examination to be necessary, the women shall be taken before a magistrate for orders.

The word 'person' applies only to those parts of the body, to expose which would violate a woman's modesty.

Female assistant or Sub-Assistant Surgeons in Government service shall only be required to do medico-legal work on behalf of Government when the woman or girl concerned refuses to be examined by a male doctor. When a female doctor is summoned by a Court she must attend.

6.24. Searches by police officers.—(1) The rules regarding searches by police officers are contained in section 165 and 166 Code of Criminal procedure. Notices of search under section 165, Criminal Procedure Code, summons to persons to witness search under section 103 (1), Criminal Procedure Code, and search lists under section 103 (2), Criminal Procedure Code, shall be prepared in forms 6.24 (1) (a), (b) and (c) respectively.

(2) An officer in charge of a police station receiving a requisition to search, under section 166 Code of Criminal Procedure, or other law applicable, shall comply without unnecessary delay and shall take all necessary precautions to ensure a successful search.

A police officer making such requisition may attend personally and assist in such search, or may send one or more of his subordinate for that purpose.

(3) Circle officers supervising investigation and inspecting officers shall take disciplinary action against investigating officer who carry out searches under section 165, Code of Criminal Procedure, without sufficient justification.

6.25. Records in custody of the Post Office.—The law regarding the production of documents or things in the custody of the Postal or Telegraph Department is contained in section 95, Code of Criminal Procedure.

The instructions issued by the Director-General of Post Offices (paragraph 152 of Volume V of the Post and Telegraphs Manual) regarding production of records in the custody of the post office are as follows.—

(1) Records of a post office or mail office should be produced, and information available in them should be given, on the written order of any police officer who is making an investigation in a cognizable case under,

the Criminal Procedure Code, or of any Excise officer empowered by a Local Government or Administration to investigate offences punishable under any Excise Act, but only those entries in the records should be disclosed which relate to the person or persons charged with the offence under investigation or which are relevant to that offence. In any other case, the official in charge of the office should, without delay, refer for orders to the Head of the Circle, who will decide whether or not, under section 124 of the Indian Evidence Act, 1 of 1872, the information asked for should be withheld—

- Note 1.** This rule does not authorise the Post Office to hand over the records to Police Officer unless an order under section 95 of Criminal Procedure Code is obtained by the Police Officer from the District Magistrate, High Court or Court of Session.
2. When the information asked for by a police or an Excise Officer is not available in the records of the office concerned, the police or the Excise Officer should be informed accordingly, irrespective the question whether the information if available, might or might not be given.

#### Exception

This rule does not apply to the production of telegraph message drafts which should only be produced under the rules on the subject in the Posts and Telegraphs Manual, Volume XI

6.26. Importance of footprints and track evidence —(1) Footprints are of the first importance in the investigation of crime. For this reason all officers in charge of Police Stations shall instruct their subordinates as well as all *chaukidars* that, when any crime occurs all footprints and other marks existing on the scene of the crime should be carefully preserved and a watch set to see that as few persons as possible are permitted to visit the scene of the crime.

(2) When it is desired to produce evidence of the identity of tracks found at the scene of or in connection with a crime, the procedure for securing the record of such evidence shall be similar to that prescribed in rule 7.31 for the identification of suspects. The attendance of a magistrate of the highest available status shall be secured or, if that is impossible, independent witnesses of reliable character shall be summoned. In the presence of the magistrate or other witnesses, and in conformity with the any reasonable directions which they may give, ground shall be prepared for the tests. On this ground the suspect or suspects, and not less than five other persons shall be required to walk. The magistrate, or in his absence the police officer conducting the test shall record the names of all these persons and the order in which they enter the test ground. While these preparations are proceeding the tracker or other witness—who is to be asked to identify the tracks shall be prevented from approaching the place or seeing any of the persons concerned in the tests. When all preparation are complete the



witness shall be called up and required to examine both the original tracks and those on the test ground, and thereafter to make his statement. The magistrate, or in his absence, the Police Officer conducting the test shall record the statement of the witness as to the grounds of his claim to identify the tracks, and shall put such other questions as he may deem proper to test his bonafides. The officer investigating the case and his assistants shall be allowed no share in the conduct of the test.

Tracks found, which it is desired to test by comparison as above, shall be protected immediately on discovery, and their nature, measurements and peculiarities shall be recorded at the time in the case diary of the investigating officer.

The details of the preparation of the test ground and the actions required of the suspect and those with whom his tracks are mixed must vary according to the circumstances of the case. The officer conducting the test in consultation with the magistrate or independent witnesses, shall so arrange that the identifying witness may be given a fair chance but under the strictest safeguards, of comparing with the original tracks, other tracks made on similar ground and in similar conditions.

(3) The evidence of a tracker or other expert described in the foregoing rule can be substantiated by the preparation of moulds of other foot-prints of the criminal or criminals found at the scene of the crime.

In making moulds for production as evidence the following precautions should be observed—

- (a) The footprints found on scene of the crime must be pointed out to the reliable witnesses at the time and these same witnesses must be present during the preparation of the moulds,
- (b) The latter must also be signed or marked by the witnesses and the officer preparing them while still setting.
- (c) After the procedure described in sub-rule (2) above has been completed a mould should be prepared in the presence of the magistrate or witnesses of one of the foot prints of the suspect made in their presence. This mould should be signed by the magistrate or witnesses when still setting.
- (d) Both moulds should be carefully preserved for production in court for identification by witnesses and comparison by the Court.

6.27. Statement recorded by magistrates.—(1) The circumstances under which police officers may require a statement to be recorded by a magistrate are as follows:—

- (a) The statement, made in the course of an investigation by a witness or an accused person, and not amounting to a confession, may be recorded by a magistrate under section 164, Code of Criminal Procedure, in order that it may be available as evidence at a

later stage. Such statements may be recorded in any of the manners prescribed for recording evidence.

- (b) A confession may be recorded under section 164, Criminal Procedure Code, irrespective of the tender of a pardon, and of whether it involves more persons than the individual accused making it.
- (c) In the classes of offences specified in section 337, Criminal Procedure Code, a police officer may, at any state of the investigation, inquiry or trial, move a magistrate empowered under that section to tender a pardon to an accused persons.

(2) If a professional offender is convicted and sentenced to imprisonment or transportation and it appears that he belongs to a gang of offenders and is willing to do everything in his power to bring the members of such gang to justice, or to give valuable information leading to the discovery of stolen property, the Superintendent may apply to the State Government for suspension or remission of the sentence of such prisoner under section 401, Criminal procedure Code. Such application shall be made through the District Magistrate.

**6.28. Confessing accused and approvers.**—(1) The Criminal Procedure Code prescribes a number of precautions which are intended to give to a court conducting a trial the maximum assurance that a confessing accused has not been subjected to such pressure or inducements as to invalidate this evidence under section 24 Indian Evidence Act. All police officers, who exercise any authority in connection with investigations are required to have a thorough understanding of these provisions. The departmental instructions here given merely supplement and in no sense replace them.

(2) The main requirements, in so far as the Police are concerned, are :—

- (a) No police officer may offer a pardon. An accused person desirous of making a statement with a view to obtaining a pardon, shall be told that no promise whatsoever can be made, but that, if a statement is made and verified and found to be of sufficient importance to merit such action, the facts will be reported to a magistrate, who has power to offer a pardon. No steps may be taken in this connection by subordinate police officers without the previous sanction in writing of a gazetted police officer.
- (b) Statements, whether under section 164 or 337, Criminal Procedure Code, shall be recorded by the magistrate, other than the District Magistrate, having the highest powers, who can be reached within a reasonable time. Save for special reasons, which must be explained by the investigating officer, such statement shall never be recorded by 2nd class magistrates unless they have been specially empowered to record such statements.

- (c) The magistrate is required to make enquiries as to the circumstances leading up to the confession, and police officers shall invariably furnish, so far as is in their power, information required of them in this respect.
- (d) Police offices connected with the investigation shall not be present while the confession is being recorded.
- (e) Magistrates are required to give orders when remanding to custody persons who have made a confession, that they shall be kept separate from other prisoners.
- (f) When more than one person confesses or turns approver in a case, their confession shall, if possible, be recorded by different magistrates and they shall not be allowed to meet one another till their evidence has been recorded in court.
- (g) Magistrates shall be moved to record statements of confessing persons in full details; in political cases and those in which professional criminals whose activities extend over a large field are suspected, copies of approvers' statements and confessions shall be sent to the Deputy Inspector-General Criminal Investigation Department.

(3) It must be remembered that the prosecution of a gang case, even without an approver, in a section 30 magistrate's court, is a very lengthy and difficult task owing to the large number of witnesses and the numerous linked individual cases. If, however, the prosecution relies upon an approver, the length and difficulty of the task is at least doubled as, in accordance with section 337 (2A), Code of Criminal Procedure, the case has to be committed to the Sessions or High Court. Therefore, before launching gang case under section 400 or 401, Indian Penal Code, with an approver, the District Magistrate and Superintendent of Police should first satisfy themselves that it is not possible to secure satisfactory results by proceeding in individual cases without resort to section 400 and 401, Indian Penal Code. If, however, it should still appear expedient to conduct a gang case, they should ascertain whether the district resources are equal to the strain of both committal proceedings and trial in the Sessions or High Court without outside assistance. If the district resources appear to be inadequate, the case should then be referred through the Deputy Inspector General of the range to the Deputy Inspector-General of Police, Criminal Investigation Department, for decision whether the case should or should not be undertaken.

**6.29 Place of trial.**—With regard to the place of trial of cases falling under section 179–143, Code of Criminal Procedure, police officer shall act solely with reference to the public convenience.

Ordinarily such cases shall be sent up for trial in the district in which the witnesses can attend with the least inconvenience to themselves.

**6.30. Inquests.**—(1) An officer in charge of a Police station shall, upon receipt of information of the sudden or unnatural death of any person,

when the body of such person is within the local jurisdiction of his police station, immediately send information to the nearest magistrate authorised to hold inquests and shall proceed to the place where the body is and hold an investigation in the manner prescribed by section 174, Code of Criminal Procedure. When the Sub-Inspector in charge of the Police Station through illness or absence from the station house, is himself unable to carry out the investigation, he shall at the first convenient opportunity proceed to the place where the body of the deceased person was found, and shall personally verify the results of the investigation.

(2) In cases where the body is not found, or has been buried, there can be no investigation under section 174, Code of Criminal Procedure.

In such cases, if there are reasonable grounds for suspicion that a cognizable offence has been committed, the police shall register a case and commence investigation:

Provided that the following cases shall be exceptions to this rule :—

- (a) In the case of a death by violence occurring within the wall of a military prison or civil jail the police shall not make an investigation into the cause of death when an inquest has been held by a competent magistrate.
- (b) Upon receipt of information of a sudden or unnatural death within the walls of a prison the officer in charge of the police station concerned shall send immediate intimation to the senior magistrate present at headquarters and shall proceed to the prison and place a guard over the body and shall allow neither the body nor anything which may have caused the death of the deceased to be moved until the arrival of a magistrate.

**6.31. Investigation under section 174, Code of Criminal Procedure.—**The respectable inhabitants who are required by section 174, Code of Criminal Procedure to take part in any investigation into a sudden or unnatural death shall be selected with reference to any special attainments they may possess which are likely to be of use in such investigation.

**6.32. Investigating officer-action of at scene of death.—**On arrival at the place where the body of a deceased person is lying, the police officer making the investigation shall act as follows :—

- (1) He shall prevent the destruction of evidence as to the cause of death.
- (2) He shall prevent crowding round the body and the obliteration of footsteps and finger prints etc.
- (3) He shall prevent unnecessary access to the body until the investigation is concluded.
- (4) He shall cover up footprints with suitable vessels so long as may be necessary.
- (5) He shall draw a correct plan of the scene of death including all features necessary to a right understanding of the case.

(6) If no surgeon or other officer arrives, he shall, together with the other persons conducting the investigation, carefully examine the body and note all abnormal appearance.

(7) He shall remove, mark with a seal, and seal up all clothing not adhering to or required as a covering for the body, all ornaments and any thing which may have caused or been concerned in the death of the deceased and shall make an inventory thereof.

In the inventory shall be described the position in which each thing was found and any blood-stain, mark, rent, injury or other noticeable fact in connection with such thing. The number and dimension of such stains, marks, rents, injuries, etc., shall also be given in the inventory.

A counterpart of the mark and seal attached to such thing or to the parcel in which it has been enclosed shall be entered in, or attached to, the inventory.

Such inventory shall form part of the inquest report.

(8) He shall take the finger prints of the deceased person if the body is unidentified.

(9) The photographing of the body in situ and of the scene of the occurrence may prove of great evidential value.

**6.33. Disinterment of bodies—**The following rules relate to the disinterment of bodies :—

(1) An officer in charge of a police station and any superior police officer lawfully making an investigation into the unnatural or sudden death of any person shall, on learning that the body of the deceased person has been formally buried, record in writing the information which has reached him and the grounds on which he considers it necessary that the body should be disinterred.

(2) He shall forward the information so recorded to the nearest magistrate empowered to hold inquests and ask for an order under section 176 (2), Code of Criminal Procedure and in the meantime shall guard the grave.

(3) On receipt of such order, if the magistrate himself does not attend the disinterment, such police Officer shall in the presence of two or more respectable inhabitants of the neighbourhood, cause the body to be disinterred. Such police officer shall then comply with the provisions of section 174, Code of Criminal Procedure.

(4) Police officers shall invariably examine witnesses to prove the identity of disinterred bodies before commencing their investigation.

(5) When a body has lain in the grave for a period exceeding three weeks no disinterment shall be made by any police officer until the opinion of the Civil Surgeon has been obtained, and then only with concurrence of the District Magistrate.

**6.34. The Inquest Report.**—(1) When the investigation has been completed the investigating officer shall draw up a report, in duplicate by the carbon copying process, in Forms 6.34 (1), (A), (B) or (C) according as the deceased appears to have died .—

A. Form natural causes. B. By violence. C. By poisoning.

(2) Such report shall state the apparent cause of death, give a description of any mark or mark of violence which may be found on the body and describe the manner in which and the weapon or instrument with which such marks appear to have been inflicted.

(3) The report shall be signed by the police officer conducting the investigation and by so many of the persons assisting in the investigation as occur therein and shall be forwarded without delay through the Circle Officer to the Ilqa Magistrate.

(4) The following documents shall form part of such report :—

(a) The plan of the scene of death.

(b) The inventory of clothing, etc,

(c) A list of the articles on and with the body, if the body is sent for medical examination.

(d) A list of articles sent for medical examination, if any.

(5) In cases of death by hanging, the report shall give particulars as to the height and sufficiency of the support and the nature of the thing used to bear the weight of the body.

In drowning cases the depth of the water shall be stated.

(6) The carbon copy of such report shall be filed in the police station register No. 6 (Rule 3.46).

(7) A copy of all reports relating to deaths caused by railway accidents shall, when made by a police officer other than a railway police officer be forwarded to the Superintendent of police, Government Railway Police.

**6.35. Post-mortem examination—when and by whom held.**—(1) The legal requirements in respect of post-mortem examination by a qualified surgeon are contained in section 174(3), Code of Criminal Procedure. In every case where death appears to have been due to suicidal, homicidal, accidental or suspicious causes, and where any doubt exists as to the exact cause of death or if it appears to the officer conducting the investigation—whether under section 157 or section 174, Code of Criminal Procedure—expedient to do so; the body shall be sent to the nearest medical officer authorised by the Government to conduct post-mortem examinations. The sending of bodies for examination may only be dispensed with, where such action is otherwise required when condition exist, such as advanced putrefaction, which would clearly make examination useless.

(2) The law requires that the dead body shall be sent to the nearest qualified medical officer. The summoning of such officers to conduct examination at or near the scene of the death shall not be resorted to save

in exceptional case. These may occur, where, owing to advanced putrefaction or the circumstances in which the corpse was found, movement of the corpse may make it impossible for the medical officer to form a correct opinion as to the nature of the injuries or the exact cause of death. In such cases if the investigating officer considers expert post-mortem examination essential in the interests of justice, he shall request the qualified medical officer to proceed to the spot for examination.

(3) In cases where it is impossible either to send a body to a qualified medical officer, or to have it examined by such officer on the spot, the investigating officer may, at his discretion, request the nearest Government medical officer, even though such officer be not authorised to conduct post-mortem examination, to assist him with his anatomical and other expert knowledge in estimating the effects and causes of injuries, etc. Such medical officers are not empowered to perform any operation on the body.

6.36. Post-mortem examinations—action to be taken by police.—When corpses are sent for medical examination the following rules shall be observed :—

(1) The result of the investigating Officers examination of the body shall be carefully recorded in Form 6.36 (1) Clothing found on the body, foreign matter adhering to it and any instrument likely to have caused death remaining in a wound or on the body shall be secured to the position in which found if possible, or otherwise, shall be carefully packed separately, according to the instructions contained in rule 6.39.

(2) To counteract decomposition as far as possible the body shall be sprinkled with Formal indiluted to 10 per cent and shall also be sensed with strong solution of chloride of lime in water. Besides which have to be carried long distances should be sprinkled with the day powder of chloride of lime or with carbolic powder sold commercially in tin boxes with a perforated lid specially constructed for sprinkling purposes. The use of powdered charcoal is prohibited, as the stains caused thereby may complicate the task of post-mortem examination.

(3) The body shall be placed on a charpoy or other light litter and protected from the sun, flies and exposure to the weather. The litter shall be transported to the place appointed for the holding of post-mortem examinations by such means as the investigating officer may consider most expedient in the circumstances of weather, distance to be covered and conditions of the body. If necessary and expedient conveyance including a motor vehicle, may be hired to carry the corpse and those who are required to accompany it as escort or witnesses.

(4) All Police Officer along the route are required to give immediate assistance to expendite the transportation of dead bodies for Medical examination.

(5) Two police officers who have seen the dead body in the position in which it was first found, and are competent to detect any attempt at substitution or tempering with the body or its Coverings shall accompany

the body to the mortuary, and remain in charge of it until examination is complete. If necessary and additional guard shall be supplied to place a sentry on the mortuary, but the officers who have accompanied the body from the spot shall hand it over personally to the medical officer conducting the post-mortem examination together with all reports and articles sent by the investigating officer to assist the examination and shall receive and convey to the investigating officer the post-mortem report.

(6) As soon as the medical officer has intimated that his examination is complete, the police shall, unless they have received orders from a competent authority to the contrary, make over the body to the deceased's relatives or friends or, if there are no relatives or friends, or they decline to receive it, the police shall cause the body to be buried or burnt according to the rules.

**6.37. Unidentified bodies.**—If a body is unidentified, the officer making investigation shall record a careful description of it, giving all marks, peculiarities, deformities and distinctive features, shall take the finger impressions and, in addition to taking all other reasonable steps to secure identification shall; if possible, have it photographed and, in cases where such action appears desirable, a description published in the Criminal Intelligence Gazette.

Unidentified corpses should be handed over to any charitable society which is willing to accept them, and if no such society comes forward they should then be buried or burnt.

**6.38. Form to accompany body of injured person.**—An injured person or a body is sent to a medical officer, Form 6.36 (1) shall, in addition to any other report prescribed, be prepared by the carbon copying process and given to police officer, in duplicate, who accompanies the injured person or goes in charge of the body.

**6.39. Articles for medical examination-how sent.**—(1) Articles sent for medical examination together with a body or injured person, shall be sent under the charge of the escort which accompanies such body or persons.

(2) When no body of injured person is sent, such articles shall be sent in the charge of an escort which shall take them to the Principal Medical Officer without relief.

**6.40. Chemical Examiner—Channel of communication with.**—(1) Superintendents of Police are authorised to correspond with, and submit articles for analysis to, the Chemical Examiner direct in all cases other than human poisoning cases. Any references in relation to human poisoning cases shall be made through the Principal Medical Officer.

(2) Articles for chemical examination.—(2) With regard to the packing of articles sent for chemical examination the following rules shall be observed:—



- (i) Liquids, vomit excrement and the like, shall be placed in clean wide mouthed bottles or glazed jars, the stoppers or corks of which shall be tied down with bladder, leather or cloth, the knots of the cord being sealed with the seal of the police officer making the investigation.

Such bottles or jars shall be tested, by reversing them for a few minutes, to see whether they leak or not.

- (ii) Supposed medicines or poisons, being dry substances, shall be similarly tied down in jars or made up into sealed parcels.
- (iii) All exhibits suspected to contain stains should be thoroughly dry before being packed and despatched for examination. In cases of exhibits that become brittle on drying, they should be carefully packed in cotton wool and then in a wooden box.
- (iv) Blood-stained weapons, articles or cloth, shall be marked with a seal and made up into sealed parcels. The entire article shall be sent.
- (v) Sharp-edged and pointed exhibits likeswords, spears etc. should be packed in boxes and not bound up into cloth packages. In their transit through the post they are liable to cut through the packing material and the exhibit is exposed.
- (vi) On each bottle, jar and parcel, and also on each article or set of articles contained therein, the separate identification of which has to be proved, shall be affixed a label describing the contents, giving full particulars and stating where each article was found.

On such label shall be impressed a counterpart of the seal used to secure the fastening of the bottle, jar or parcel. A copy of each label, and a counterpart impression of the seal, shall be given in the inquest report, and, in the case of cattle poisoning, in the case diary.

- (vii) As far as possible no letters should be glued on to exhibits as they interfere with analysis.
- (viii) Exhibits such as clods of earth should be packed carefully in wool and placed in a wooden box.

Notes :—

- (1) Cases in which death is clearly due to natural causes should not be referred to the Chemical Examiner, Medical Officers must accept the responsibility of deciding such cases.
- (2) In no case should the Medical Officer attempt to apply tests for himself any such procedure is liable to vitiate the subsequent investigation of the case in the laboratory of the Chemical Examiner.
- (3) Exhibits in connection with cases of murder by hurt or violence may be sent direct to the Chemical Examiner. This saves time and relieves the office of the Principal Medical Officer of the District of necessary correspondence.

- (4) Endeavour to send all the exhibits in a case of murder by hurt or violence under one covering letter thereby reducing the cost of examination etc.
- (5) Nail clippings are poor exhibits to send for the detection of blood in murder cases. No court of law could be expected to attach much weight to the finding of human blood on the nails of the accused.
- (6) Stomach tubes in hospitals are frequently kept in a solution of mercury. They should be carefully washed with water before use. Traces of mercury found along with another poison in stomach contents might produce such complications as would handicap the successful prosecution of a case.
- (7) Carbon copies of reports are sometimes very difficult to read and should be prepared clearly.
- (8) Articles of which return is required for production in court or otherwise should be distinctly specified in the forwarding letter sent with articles for chemical examination.

(3) Any document purporting to be report from the Chemical Examiner or his assistants is admissible as evidence under section 510, Code of Criminal Procedure.

(5) Attention is also directed to the further directions for, and precaution to be taken in forwarding articles to the Chemical Examiner for examination report and the rules for preserving and packing exhibits contained in Appendix 6.40 (4).

6.41. Explosives.—(1) Substances or objects suspected of being explosive shall be sent for examination to the Inspector of Explosives.

(2) Instruction or dealing with substances or objects suspected of being explosive are published in Appendix 6.14 (2).

6.42. Procedure in poisoning cases.—(1) A police officer making an investigation in a case in which poison has been administered shall record in his report all information likely to be of value in assisting the Principal Medical Officer or the Chemical Examiner to form an opinion as to the precise poison employed.

(2) When treatment has been adopted before the death of the individual, the duration and nature of such treatment shall be communicated to the Principal Medical Officer for the information of the Chemical Examiner.

(3) If the body of the deceased person has been burnt, the ashes of the funeral pyre shall be collected and sent in a closed vessel to the Principal Medical Officer, accompanied by a statement of the circumstances which rendered this course of action advisable.

6.43. Procedure in case of poisoning of animals.—When, in the investigation of cognizable offence relating to the unlawful killing of an animal,

it is necessary to obtain a professional opinion as to the cause of the death of such animal:—

(i) If the animals appear to have been poisoned in the ordinary way and there are no signs of puncture on the carcase the mouth shall be examined and anything abnormal found in it secured and placed in a clean glazed jar or bottle.

(ii) The carcase shall be opened and the stomach removed.

The stomach shall be cut open, and its appearance observed, as to whether it is congested or not.

A piece of the stomach, the most congested part, about a pound in weight, the reticulum, and a portion of the liver, about two pounds in weight, shall be cut off and placed in a clean glazed jar bottle.

Rectified spirit shall be poured into the bottle in sufficient quantity to cover the contents completely in whatever position the vessel may be hold.

The quantity of spirits shall be at least one-third of the bulk of the object in the bottle.

(iii) Water shall be gently poured over the remaining portion of the stomach and any arsenic or any white or yellow particles found shall be carefully collected.

The poison particles, or pebbles, so collected or otherwise found, shall be enclosed in a sealed parcel.

(iv) If the animal appears to have been poisoned by means of needles, the carcase shall be flayed and the flesh near the puncture examined.

If the flash appears inflamed, a portion near the puncture shall be cut off and secured in the manner prescribed in sub section (2).

Any needle found shall likewise be secured.

(v) If the animal has been poisoned by being caused to inhale fumes of arsenic, etc., a portion of the lining membrane of the nostrils and wind-pipe and, in addition, the animal's lungs shall be secured.

(vi) Jars or bottles shall be carefully corked or stoppered and the corked or stoppers tied down with bladder, leather, or cloth.

The knots of the cords shall be sealed with the seal of the police officer making the investigation.

Jars and bottles shall be tested, by reversing them for a few minutes, to see whether they leak or not.

(vii) on each bottle, jar or parcel shall be affixed label describing the contents and giving full particulars and on such label shall be impressed a counterpart of the seal used to secure the fastening of the bottle, jar or parcel. A copy of each label and a counterpart impression of the seal shall be given in the case diary accompanying the despatch.

(viii) The jars, bottles and parcels and any supposed poison found shall be despatched to the Superintendent of Police for transmission to the Chemical Examiner with the information required by Form 6.43(iii).

6.44. Matter how forwarded to Chemical Examiner.—(1) If the Superintendent of Police considers that there are *prima facie* grounds for believing that the animal was poisoned, the bottles, jars or parcels shall be enclosed in a soldered tin case with an outer wooden cover and despatched, carriage paid, to the Chemical Examiner. If the box is to be sent by post, or as prepaid freight by rail, the additional precautions described in Appendix 6.40(4) shall be taken. A label bearing reference to the number and date of the letter intimating despatch shall be placed inside the box. Such letter shall contain an inventory of the jars, bottles, and parcels despatched with counter parts of their labels and seals. A thin layer of cotton wood shall be placed on each side of the seal impression to prevent its being broken in the post.

(2) An English translation of the material parts of the case diary relating to the poisoning of the animals shall be forwarded with the letter intimating the despatch of the box.

(3) The owner of the carcase of a poisoned animal shall be encouraged to destroy it by cutting up the hide in small pieces, breaking up the horns and bones and burying the whole at a considerable depth. Cattle are sometimes poisoned by hide dealers with a view to obtaining their hides at a cheap rate. The destruction of the hide removes this motive.

(4) Bills for all costs incurred in the transmission of substances for medical examination whether connected with the death of human beings or of animals shall be paid from the budget head 'Transport charges of dead bodies and wounded and accused persons under 29—Police (4) other charges.'

6.45. Imperial Serologist Calcutta-articles sent to.—The following rules regulate the circumstances under which articles suspected to bear human blood-stains shall be sent to the Imperial Serologist, Calcutta through the Chemical Examiner —

(a) In case which the evidence of the blood-stained articles is relatively to the whole body of the evidence, of small importance, the articles shall be sent direct to the Chemical Examiner, Jaipur, for examination.

(b) In case in which the establishment of the fact that blood-stains are of human blood, as distinct from the general classification of "Mammalian" is material to the prosecution and has a really important bearing on the case, the bloodstained articles shall be sent direct to the Chemical Examiner, who will determine which of such articles he will forward to the Imperial Serologist with the necessary sketches, etc. In sending articles for the serologist test, the Superintendent of Police shall specifically ask for examination to determine the source of the blood. The Imperial Serologist will, after examining the articles sent to him by the Chemical Examiner,

return them with a copy of report direct to the Superintendent of Police concerned.

(c) When blood-stained clothing is concerned, the stained portion only shall be cut out by the Chemical Examiner and sent. In the case of weapons and other solid articles the entire articles may have to be sent.

(d) All articles shall be accompanied by a complete medico-legal history of the case.

(e) No article shall be sent direct to the Chemical Examiner except under the express orders of the Superintendent.

**6.46. Report of Medical Officer.**—(1) The medical officer having completed his examination of the person, body or article shall record in full the result arrived at, and in the case of a post-mortem examination, his opinion as to the cause of death. He shall also record a list of any articles which he may intend to send to the Chemical Examiner. The report shall be written on the back of or attached to, form 6.36 (1) and shall contain such reference to the person or object examined as will leave no possible doubt as to which case the remarks apply.

(2) The report shall be placed with the police file of the case and may be used by the medical officer to refresh his memory when giving evidence.

**6.47. Maintenance and disposal of stolen cattle during investigation and trial**—(1) In cases in which cattle or otherwise animals alleged to be stolen are exhibits, the investigating officer shall, if the court of the magistrate having jurisdiction is so distant from the place where the cattle or other animals are kept that evidence of identification is likely to be prejudiced or the cattle are likely to suffer in condition by being driven to and from, send information to the prosecuting branch that the case is ready for trial, and request that it may be heard at or near the place where the cattle have been seized or found. On receipt of such report the head of the prosecuting branch shall, subject to the orders of the Superintendent of Police, represent the fact to the District Magistrate and move him to arrange for case to be tried on the spot.

(2) When a challan is actually laid before a magistrate the stolen cattle should properly be in the custody of the police, but as soon as the identification evidence has been completed, the police prosecuting agency should at once approach the magistrate under section 516-A of the Criminal Procedure Code, with a request that the cattle may be made over to an independent surety or to the complainant on security pending the conclusion of the case.

(3) With the object of mitigating the injury and inconvenience caused to owners of stolen cattle during the investigation and trial of cattle-theft cases, the prosecuting branch shall move courts trying such cases to award punishment of fine as well as imprisonment and direct such fine to be paid to the owner of the cattle concerned in the case in proportion to the loss or

injury he may have suffered by reason of his association with the investigation and trial, as provided by section 545(1)(b)(c) of the Code of Criminal Procedure.

(4) In cattle theft cases sureties to whom cattle have been made over for custody and production as and when required during the investigation and trial are entitled to receive the cost of maintaining such cattle. Expenses incurred under this rule during the investigation of a case shall be paid from the allotment at the disposal of Superintendent of Police under the appropriate head. Payment may be made direct to the person entitled to receive it from the Permanent Advance allotment of Police Station. Expenses of maintenance during the pendency of the case in Court shall be paid from the Judicial Funds and the Prosecuting Branch shall be responsible for recovering amounts due on this account together with and in the same manner as diet and journey money.

(5) The rates authorised for payment under sub-rule (4) above will be notified by District Magistrate in each district from time to time.

6.48. Property not required to be returned.—On the conclusion of an investigation the investigating officer shall make over to the proper persons all property which he may have taken into his charge in the course of the investigation and which is not further required in connection with the case. A receipt for property so made over shall be taken on the inquest report.

6.49. Recognizances from witnesses.—(1) If the facts disclosed by the investigation indicate the commission of a cognizable offence and the person who appears to be guilty of such offence is arrested, the investigating officer shall when he has completed the investigation, take recognizances from the witnesses as provided by law.

(2) The charge sheet and its preparation and submission are dealt with in Chapter VIII. To facilitate compliance with rule 8.1 (4) investigating officer shall, when possible, intimate the Prosecuting Inspector some days in advance the date when the challan and witnesses will reach headquarters.

6.50. Dissemination of intelligence and hue and cry notices.—(1) Every officer proceeding on an investigation shall have with him a supply of blank hue and cry notice (form 4.18) and, shall utilise them as directed in rule 4, 18.

(2) Nothing in this rule, or in rule 4.18 shall affect the taking of prompt action under section 87 and 88, Code of Criminal Procedure, as required by the rule.

6.51. Case diaries.—(1) Section 172 (1), Code of criminal Procedure, requires that a case diary shall be maintained and submitted daily during an investigation by the investigating Officer. In such diary shall be recorded, concisely and clearly, the steps taken by the police, the circumstances ascertained through the investigation and the other information required by section 172 (1), Code of Criminal Procedure.

(2) Cases diaries shall be as brief as possible, shall not be swollen with lengthy explanations and theories, and shall be written in simple Hindi.

Only such incidents of the investigation shall be included as have a bearing on the case.

(3) Detailed lists of stolen property, or of property seized in the course of a search, shall be entered in the first case diary submitted after the facts relating to such property were reported to, or discovered by, the investigating Officer.

(4) The fact that copies of the record prepared under the provisions of section 165, Code of Criminal Procedure, have been sent to the nearest magistrate empowered to take cognizance of the offence shall also be noted.

**6.52. Record of case diaries.**—(1) Case diaries shall ordinarily be submitted in Form 6.52 and each sheet shall be numbered and stamped with the station stamp. Two or more copies, as may be ordered, shall be made by the carbon copying process by the officer conducting the investigation. The officer writing a case diary shall enter in such diary a list of the statements, recorded under section 161, Criminal Procedure Code, which are attached to such diary and the number of pages of which each such statement consists.

(2) They shall be sent from the scene of investigation to the police station without delay.

(3) On arrival at the police station the number and date of each case diary shall be recorded on the reverse of the police station copy of the first information report, and the date and hour of receipt shall be entered on each copy of the diary.

(4) The original shall be despatched with as little delay as possible to the Inspector or other superior officer as may be ordered, after the time of despatch has been entered in the space provided in the form on both the original and the copy or copies. Also see rule 8.31.

(5) A copy of every case diary shall be retained at the police station, a separate file being maintained for each case. Such files shall be destroyed in accordance with the periods fixed in sub-rule 8.32 (5).

(6) Copies of all orders received at a police station in connection with case diaries and the replies thereto shall be made on blank sheets of paper and shall be attached to the case diary to which they refer.

**6.23. Files of case diaries** —(1) When a case is sent for trial the police station file of case diaries shall be forward with the chalan to the magistrate, and on completion of the trial shall be returned to the police station for record.

(2) Such files when received back at the police station, also files of other cases in which the final report has been submitted, shall be filed at the police station in an annual bundle. A in accordance with the serial number of their first information report.

(3) Copies of case diaries in pending cases shall be kept in files at the police station in separate bundle B in accordance with numbers of their first information reports.

(4) A list shall be kept in each bundle A and B of all the files contained therein, merely quoting the numbers of their first information reports. Should it be necessary to remove a file from the bundle the fact will be noted in the list.

**6.54. Incomplete charge sheet.**—(1) When an investigating officer requires authority to detain an accused person in police custody beyond the limits prescribed in section 61, Code of Criminal Procedure, he shall make application therefor in accordance with the provisions of section 167, Code of Criminal Procedure, on an incomplete charge sheet in Form 6 54 (1) to which he shall attach the case diaries or copies thereof.

The Magistrate will record his order on the incomplete charge sheet which will not be returned to the police, but will form part of the Magisterial proceedings. Applications for remand on incomplete charge sheets shall be prepared in duplicate by the carbon copying process, and a copy of the Magistrate's order will be made by the police officer on the carbon copy of the application which will then be attached to the police file of the case. The copy will be attached to the incomplete charge sheet when the case is finally sent for trial. Case diaries will not form part of the Judicial file.

(2) No application for remand to police custody shall be made on the ground that an accused person is likely to confess. Grounds for such an application should be of the following nature:—

- (a) That it is necessary to have his footprints compared with those found on or near the scene of offence.
- (b) That the accused has offered to point out stolen property or weapons or other articles connected with the case.
- (c) Any other good and sufficient special reason :

(3) Provided that in all serious cases, when the accused has been arrested and *prima facie* evidence has been produced, it shall be incumbent on the investigating officer to send the case for trial without delay, whether the investigation is complete or not. Witness should invariably accompany such challans, and the Court should be asked to take up the case at the earliest possible moment, in order to record the evidence and thereafter to grant such detention or remand under the provisions of section 167 or 344, Criminal Procedure Code, as may be found necessary. Evidence obtained subsequently shall be produced before the court by a subsidiary challan. Superintendents should call up investigating officers for an explanation in all cases where the provision of the rule appear to have been disregarded.

**6.55. Close of investigation and final report.**—(1) If on any day, or days a police officer in charge of the investigation of a case makes no inves-



tigation, he shall enter a statement to this effect in the case diary of the day, on which he next does something towards the completion of the case.

(2) (i) when the police are unsuccessful, after taking all the measures in their power, and it is considered advisable to suspend the investigation a final report in form 6.55 (2) (i) shall be submitted as required by section 173, Code of Criminal Procedure.

(ii) In cases in which a final report is submitted under sub-rule (2) (i) above in which a copy of the first information report has been sent to a Panchayat as required by Police Rule 5.5 (2) (1), a final report shall also be sent to the Panchayat containing information on the following points.—

(a) Whether or not an offence has been proved.

(b) Whether or not the offence proved is triable by the Panchayat and explaining that the case has not been sent for trial.

(3) If the informant is present when the final report is prepared, he shall be informed verbally of the result of the investigation, and after noting this fact in the final report his signature or thumb mark shall be taken on it. If the informant is not present, he shall be informed in writing by post card or by the delivery of a notice by hand, and the fact that this has been done shall be noted in the final report.

In final (untraced or cancelled) reports the facts of the case which the investigation officer believes to be correct should be summarised, together with the grounds, for his belief. Information so recorded should be utilised for the completion of preventive records.

6.56. Provisions of investigation box to the investigating officers.—The investigation officer shall be provided with an investigation box of approved pattern.

## CHAPTER VII

### Arrest, Escape and Custody.

7.1. General powers of arrest.—Section 54, Code of Criminal Procedure, authorizes any police officer to arrest without a warrant any person who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists, of his having been so concerned. The authority given under this section to the police to arrest without a warrant is, however, permissive and not obligatory. Whenever escape from justice or inconvenient delay is likely to result from the police failing to arrest they are bound to do so; but in no other cases.

The law also allows a police officer in any bailable case to take security under section 170, Criminal Procedure Code from an accused person to appear before a magistrate without first arresting him.

7.2. Power to defer arrest.—If the fact that suspicion rests upon a particular person has been kept secret, and there is no risk of his absconding, the police shall defer making the arrest until the investigation is

sufficiently complete; but if any interference with the liberty of the accused person is necessary to prevent him from absconding, and the facts justify arrest, the police shall arrest him and shall not interfere with his liberty unless they arrest him.

**7.3. Search of persons under arrest.—(1)** All persons arrested by the police and not admitted to bail shall, soon after arrest, be thoroughly searched; in the case of females such search shall be conducted by a woman and shall in all cases be conducted with due regard to decency.

An inventory of all articles taken into custody by the police from such persons under section 51 of the Criminal procedure Code shall be prepared in duplicate by the carbon copying process and the carbon copy thereof shall be sent forthwith to a Magistrate as required by section 523 of the said code.

(2) Every prisoner in police custody shall be searched on first admission to and on every occasion when he is re-admitted to a lock-up after being taken any where beyond the precincts of the police station. Sweepers, Bhishtis and every other person other than a police officer having access to a lock-up shall be searched before entering and on leaving. The searching of women shall be done by a woman.

(3) Soldiers in police custody shall not be deprived of their shoulder titles, badges of rank and medal ribbons, but medals shall be taken into safe custody. Sikh prisoners shall be permitted to retain their karas and Hindus their sacred threads.

**7.4. Lock-ups.—(1)** Outside every lock-up which is guarded by the police shall be displayed a notice showing, in Hindi, the maximum number of prisoners which the lock-up is authorized to accommodate. The authorized number shall never be exceeded; any excess shall be accommodated in a convenient building under an adequate guard or transferred to the nearest available lock-up.

(2) The door of a lock-up shall not be opened except in the presence and by the direct order of the officer commanding the guard, who shall take all possible precautions to prevent a rush or escape. When the circumstances of the use of a particular lock-up are such that prisoners are constantly being admitted or removed, special standing orders for the safe custody of the operation shall be framed by the Superintendent of Police and included in the standing orders for the guard over such lockup.

(3) When it is necessary to keep prisoners in a lock-up which is in an insecure state all male prisoners, who would under the provisions of rules 7.22 and 7.23 be liable to be handcuffed under escort, shall be handcuffed while confined in such lock-up.

(4) Every under-trial prisoner in the lock-up, unable to provide himself with sufficient bedding, shall be supplied with such beddings as may be necessary.

Ordinarily one blanket and one Durry shall be issued to each prisoner in the summer. In the winter two blankets shall be issued for each prisoner.

Private bedding may be supplied by relatives or friends of the prisoner. All such bedding shall be carefully examined by the police officer in charge who shall return the same when the prisoner is released or remanded to judicial custody. When private bedding is supplied, a report to this effect shall be entered in the station daily diary.

Jail rules permit the use of beds and provide for special sanitary and bathing facilities for A and B convicts. Such facilities are not available in all police stations, but they should be provided for better class prisoners in Police custody so far as is possible. Endeavours should be made to confine better class prisoners in Police Station which possess amenities of this kind and to segregate better class from ordinary prisoners.

**7.5. Warrants to be taken out when wanted persons abscond.—** Permissive authority is given to the police to arrest without warrant in certain cases, in order that they may not be handicapped by having to obtain a magistrate's warrant under section 204, Code of Criminal Procedure, when the arrest of a criminal or suspect who is present before them is urgent. The law provides, however, no penalty for merely evading arrest by a police officer, though it penalises resistance to, or escape from, such arrest. On the other hand the law does not provide a severe penalty for recalcitrance to an order in the form of a warrant by a court, entirely irrespective of the evidence of the guilt of the person against whom the warrant is issued. For merely evading obedience to a warrant of arrest, a man is liable to proclamation and the confiscation of his property and any one who harbours him, as defined in section 52-A of the Indian Penal Code, can also be severely punished. Whenever, therefore, a person is wanted, whose whereabouts are not immediately known, the police shall, before setting off in search of him, obtain a warrant of arrest from the Court having jurisdiction. Unsuccessful search without such a warrant is merely waste of time. On the other hand if immediately it is found that, in spite of all reasonable effort, a warrant cannot be executed, a proclamation order under section 87, Criminal Procedure Code, can be obtained and on proclamation being duly carried out, attachment under section 88, Criminal Procedure Code, can immediately follow, and connivance by any person at the continued absconding of the person proclaimed becomes punishable under section 216, Indian Penal Code.

**Note:—**Under section 200, clause (aa), Code of Criminal Procedure read with section 204, Code of Criminal Procedure, a police officer can obtain a warrant on a written complaint.

**7.6. Illness of persons under arrest.—**When a person in police custody is suffering from any illness or injury at the time of arrest, or becomes ill or sustains injury while in such custody, such a person shall be medically examined at the earliest opportunity so that the nature and cause of the illness or injury may be ascertained and proper treatment given.

**7.7. Identification of accused.—**(1) Whenever there is doubt as to the correctness of a statement made by an arrested person regarding his identity, residence or antecedents, an attestation certificate in Form 7.7(1), shall at once be despatched to the officer in charge of the police station in the jurisdiction of which such person claims to be resident; such officer shall immediately make, or cause to be made all necessary inquiries, and shall ascertain if such person's name is entered in the village conviction register. The certificate shall be returned completed with as little delay as possible, and shall be attached to the charge sheet. This form of attestation certificate shall be used whether the person arrested states he is a resident of the police station in which arrested or of some other police station, and whether or not a search slip is despatched to the Finger Print Bureau.

(2) Detailed orders regarding the preparation of search slips and the finger print system are published in the Police Finger Palm and Foot Print Manual.

**7.8. Report of arrest.—**(1) Under section 62, Code of Criminal Procedure, an officer in charge of a police station is required to report to the District Magistrate, Sub-Divisional Magistrate, or such other magistrate as the District Magistrate may direct, all arrests without warrant made by himself or in his jurisdiction.

(2) Reports of such arrests shall be made in Form 7.8(2) whether the person arrested has been admitted to bail or not and may be sent by post.

**7.9. Arrest on a telegram.—**(1) In any case in which he has jurisdiction to arrest, a police officer shall take action on a telegram from a police officer or magistrate requiring him to arrest a person for a cognizable offence, but when such telegram is received from a private person he shall not arrest unless the particulars given over a cognizable offence and afford reasonable suspicion that the person to be arrested is the offender.

(2) If a telegram is received by a police officer requesting him to arrest a person for an offence which appears to such police officer to be non-cognizable he shall lay information before a magistrate having jurisdiction with a view to the issue of a summons or warrant.

If such magistrate declines to issue a summon or warrant the order of the District Magistrate shall be sought.

(3) A police officer who despatches a telegram to another police officer requesting him to arrest a person without warrant shall be responsible that the information in his possession is sufficient to justify and that the police officer addressed has jurisdiction to make such arrest.

In all such telegrams sufficient particulars shall be given of the person to be arrested and the offence of which he is accused.

**7.10. Communication with authorities outside India—**Should an occasion arise on which a police officer desires to communicate with any authority outside India in respect of the detection or apprehension of a

offender, he should report the facts to the Deputy-Inspector General Criminal Investigation Department.

**7.11. Arrest of public servants.**—Information of the intended arrest of a public servant shall if possible, be given to such public servant's immediate superior officer, before the arrest is made; otherwise information shall be given immediately after arrest.

**7.12. Arrest of persons belonging to the Indian Army and instructions regarding Military Criminal jurisdiction.**—(1) On the arrest by the police of a person subject to Military or Navy Airforce law, charged with the commission of an offence, early intimation shall be sent to the officer Commanding the unit to which such person belongs.

(2) The general rules defining the procedure in the case of offences committed by persons subject to the Army Act or the Indian Army Act (VIII) of 1911, which can equally be tried by a court-martial or a criminal court, are contained in the Regulations Officer for the Army in India.

**7.13. Arrest of deserters.**—(1) Any Police Officer may, without an order from a magistrate, arrest any person reasonably suspected of being a deserter from Army, Navy or Air Force.

(2) Deserters shall not be taken unnecessarily through crowded streets, bazars, and thorough-fares.

(3) A deserter should be brought before the nearest Magistrate or the nearest Military Commanding Officer when no Magistrate is readily accessible. All deserters shall, as soon as possible after arrest, be handed over to military custody.

(4) A register of deserters in Form 7.13 (4) shall be maintained in the office of each Superintendent of Police (see also rule 3.44).

(5) Descriptive rolls of deserters shall if necessary, be published in the Criminal Intelligence Gazette in Form 7.13 (5).

**7.14. Arrest on warrants under Gambling Ordinance.**—Warrants issued under Gambling Ordinance shall be executed or, if not executed, shall be returned to the magistrate or Superintendent who issued it, within a period of not more than 15 days from the date of issue. The magistrate or Superintendent will then cancel the warrant, but a fresh warrant can be immediately applied for or issued, if necessary.

**7.15. Arrest of civil prisoners.**—Under the provisions of section 225-B-Indian Penal Code, the police are bound to arrest a civil prisoner who offers any resistance or illegal obstruction to his lawful apprehension, or who escapes or attempts to escape from lawful custody when such resistance, obstruction, escape or attempt to escape is an offence.

**7.16. Arrest of women.**—(1) All arrests of women—whether without warrant or with a warrant bailable or non-bailable shall be carried out by police officers not below the rank of assistant sub-Inspector of police or, when no such officer can be made available, by a head-constable in presence

of responsible male relatives and village or town officials. Such arrest shall be specially reported in the manner prescribed in police rule 5.10 and, when the arrest has been made by an officer of rank lower than assistant sub-inspector, the reason shall be clearly explained. Superintendents of Police shall forward special reports as required by police rule 5.12 and a copy shall be sent to the Deputy Inspector-General of Police, Criminal Investigation Department, Rajasthan in those cases only in which the woman is not sent to judicial custody or released on bail immediately. Where bail is admissible the woman should not be detained longer than is necessary for the production of the bond or sureties. No application for remand to police custody shall be made without the special order of gazetted officer.

(2) No women in police custody shall be lodged even for a night in a police station except in unavoidable circumstances. They shall be placed at once before a magistrate for remand to judicial custody, except where a remand for police custody is necessary and has been obtained in accordance with (1) above. Women remanded to judicial custody shall be immediately transferred to head quarters for properly equipped sub-divisional female judicial lock-ups. All remands to judicial custody shall be reported immediately to the District Magistrate. The gazetted officer supporting an application for remand to police custody shall be responsible for the taking of necessary measures for the safe and decent custody of the prisoner. Where women in police custody have to be escorted about for the purpose of investigation, the officer in charge of the police party shall not be below the rank of assistant sub-inspector; provided that, when no assistant sub-inspector is posted to the police station concerned, a head constable may be placed in charge of the escort.

(3) No male person under the age of 15 years or woman shall be required to attend at any place other than the place in which such male person or woman resides. If it is necessary to take a woman witness about the countryside for identification, etc., she shall be accompanied by a responsible male relative or other respectable male neighbour. Gazetted officer hearing and passing orders on such cases shall take such steps as are necessary to ensure that the above orders are scrupulously observed.

7.17. Arrest of drunken persons.—A drunken person may only be arrested by a police officer in a road, street or thorough-fare, in a town or notified area to which Police Act (V of 1861) applies and only when such person is drunk within the view of the police officer and behaves so as to cause obstruction, inconvenience, annoyance, risk, danger or damage to residents and passengers.

7.18. Stoppage of trains at non-stop stations to arrest person.—On receipt of a requisition, in writing, from a magistrate or a police officer, not below gazetted rank, a train shall be stopped by a station master at a station at which it is not booked to stop, with a view to affecting the arrest of a

person or persons travelling by it. Such requests shall be made only in special and urgent cases.

**7.19. Transfers of arrested persons.—**(1) If a police officer lawfully arrests a person, without warrant in a district in which the investigation, enquiry and trial cannot be held, and the offence is non-bailable or such person cannot give bail, he shall take or send such person before the District Magistrate or 1st Class Magistrate having jurisdiction over the area and obtain an order for the transfer of the prisoner to the district in which the offence was committed.

(2) No accused or convicted person shall be taken in custody from one state to another, except under the written order or warrant of the magistrate or other lawful authority directing such transfer.

**7.20. Bail and recognizance.—**(1) When a person accused of a bailable offence can give good and sufficient bail, the police shall accept it unless the law requires such person to be brought before the magistrate having jurisdiction.

(2) An officer in charge of a police station is empowered under section 497 (1), Code of Criminal Procedure to release on bail a person accused of a non-bailable offence (not punishable with death or transportation for life) whom he has arrested or detained without warrant. These powers are permissive and not obligatory and should be exercised with caution. The police officer must satisfy himself that the release on bail is not likely unduly to prejudice the prosecution or to be followed by the absconding of a person 'prima-facie' guilty.

(3) An officer in charge of a police station shall, in accordance with section 497 (2), Code of Criminal Procedure at any stage of an investigation release on bail or recognizance a person, accused of a non-bailable offence when it appears that there are not reasonable grounds for believing that a non-bailable offence has been committed by him, although sufficient grounds may exist for further investigation.

(4) Before any person is released on bail or recognizance due regard should be paid to the provisions of section 498, and 499, code of Criminal Procedure.

(5) In every case of release on bail or recognizance whether under section 167 of section 497, Code of Criminal Procedure, full reasons shall be recorded in a case diary, and the police officer concerned shall preserve the bond ( form 7.20 (5) ), until it is discharged either by the appearance of the accused person or by the order of a competent court.

(6) No police officer has power to re-arrest an accused person who has been released on bail under section 497, Code of Criminal Procedure. When re-arrest is deemed necessary, the police shall apply to a competent court for the cancellation of the bail bond and the issue of a warrant in accordance with the provisions of section 497 (5), Code of Criminal Procedure.

**7.21. Classification of under trial prisoners.**—Under-trial prisoners are divided into two classes based on previous standard of living. The classifying authority is the trying court subject to the approval of the District Magistrate but during the period before a prisoner is brought before a competent court, discretion shall be exercised by the officer in charge of the police station concerned to classify him as either 'better-class' or 'ordinary'. Only those prisoners should be classified provisionally as 'better class' who by social status, education or habit of life have been accustomed to a superior mode of living. The fact, that the prisoner is to be tried for the commission of any particular class of offence is not to be considered. The possession of a certain degree of literacy is in itself not sufficient for 'better class' classification and no under-trial prisoner shall be classified whose mode of living does not appear to the Police Officer concerned to have been definitely superior to that of the ordinary run of the population, whether urban or rural. Under-trial prisoners classified as 'better-class' shall be given the diet on the same scale as prescribed for A and B class convict prisoners.

**7.22. Conditions in which handcuffs are to be used**—(1) Every male person falling within the following category who has to be escorted in police custody and whether under police arrest, remand or trial, shall, provided that he appears to be in health and not incapable of offering effective resistance by reason of age, be carefully handcuffed on arrest and before removal from any building from which he may be taken after arrest.

- (a) Persons accused of a non-bailable offence punishable with any sentence exceeding in severity a term of three years' imprisonment.
- (b) Persons accused of an offence punishable under section 148 or 226, Indian Penal Code.
- (c) Persons accused of, and previously convicted of, such an offence as to bring the case under section 75, Indian Penal Code.
- (d) Desperate Characters.
- (e) Persons who are violent, disorderly or obstructive or acting in a manner calculated to provoke popular demonstration.
- (f) Persons who are likely to attempt to escape or to commit suicide or to be the object of an attempt at rescue. This rule shall apply whether the prisoners are escorted by road or in a vehicle.

(2) Better class under trial prisoners must only be handcuffed when this is regarded as necessary for safe custody. When a better class prisoner is handcuffed for reasons other than those contained in (a), (b) and (c) of sub-rule (1) the officer responsible shall enter in the Station Daily Diary or other appropriate record his reason for considering the use of handcuffs necessary.

**Note :—**For the definition of better class prisoner see rule 7.21.



**7.23. Condition in which use of handcuffs may be dispensed with.—**

(1) Prisoners shall not be handcuffed while confined in a lock-up, except as provided in rule 7.4 (3).

(2) The handcuffs of prisoners in court shall be removed only as provided in rule 8.10 (2).

(3) A prisoner who is charged only under section 124-A or 153-A of the Indian Penal Code shall not be handcuffed unless, he is already undergoing sentence or the officer commanding the escort has definite reason for believing that such prisoner comes within the category described in rule 7.22 (e) or (f).

**7.24. Security of handcuffs —**When handcuffs are used, the senior officer-present shall be responsible that they fit properly and that the prisoner cannot get at the key.

**7.25 Arrest of sick or wounded persons.—**(1) If wounded, or seriously ill, and in need of medical attendance, a person accused of a non-bailable offence, or unable to furnish bail in a bailable offence, shall, if possible be conveyed to the hospital at the district head-quarters or to a neighbouring dispensary.

(2) The police shall take measures to ensure his safe custody in hospital and the magistrate having jurisdiction shall be asked to grant a remand, if necessary, to examine such person.

(3) If such person cannot be moved without risk of his life, the magistrate having jurisdiction shall be asked to record his statement at the place where he is lying.

**7.26. Production of accused before magistrate within 24 hours.—**(1) The case of an accused person sent in custody for trial shall be brought before the court having jurisdiction as soon as possible after the arrival of the accused person at the station at which the court-sits. In no case shall an accused person arriving in custody on a close holiday or after the courts have risen, be placed in the police lock-up for more than 24 hours. If the second day after arrival is a close holiday, application for remand shall be made immediately.

(2) Every person who is arrested and detained in police custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from place of arrest to the court of the Magistrate and no such person shall be detained in custody beyond the said period without the authority of a Magistrate.

(3) If an accused person is in custody charged with an offence in which bail may be taken by the police it shall be the duty of the police to facilitate any attempt to find bail for such person.

**7.27. Diet of accused persons.—**(1) Officers in charge of police station shall arrange for the dieting of such accused persons arrested by the police as do not provide their own diet. The sum expended on the diet of

each individual shall not exceed the scale prescribed from time to time by the State Government.

The police shall provide for dieting on, and from, the date of arrest to, and for, the date on which the accused is placed in the magisterial lock-up.

(2) All food brought for the prisoner by relatives or friends shall be made over to the police station clerk or head constable in command of the guard and shall be examined for prohibited or injurious articles as can be detected by eye. After such examination the food shall be given to the prisoner by a police officer. The person bringing the food shall have no access to the prisoner.

(3) In the report in the station daily diary regarding the first admission of a prisoner to a lock up, it shall be stated whether he is to be dieted at Government expense or by friends. In the latter case the name of the person who undertakes responsibility for the prisoner's feeding shall be entered.

7.28. Interviews with prisoners.—No person shall be allowed to communicate in any way with a prisoner in a police lock-up without the permission of the officer in charge of the police station (as defined in section 4(p), Criminal Procedure Code), or written authority from a judicial or superior police officer.

(2) Authorised interviews shall take place in the presence and hearing of the police sentry, and the interviewer shall stand sufficiently far from the bars of the lock-up to prevent physical contact or the passage of prohibited articles between him and the prisoner. When a lawyer wishes to consult and advise a prisoner confidentially as to the conduct of his case, the prisoner may be removed from the lock-up and allowed to sit apart with his lawyer but within the precincts of the police station and in the sight of the sentry. At the conclusion of such an interview the prisoner shall be searched as provided in sub-rule 6.3 2}.

7.29. Orders to be hung up outside lock-ups.—A printed copy, in Hindi or rules 7.3, 7.27 and 7.28 shall be hung up outside every police lock-up as a standing order for sentries and for the information of the public.

7.30. Deaths in police custody —(1) When any person dies while in the custody of the police, the officer in charge of the guard, escort or police station, as the case may be, shall make an immediate report of the fact to the nearest magistrate empowered to hold inquests (section 176, Code of Criminal Procedure).

(2) For the purpose of this rule, a prisoner in a magisterial lock-up is considered to be in the custody of the turn key and a prisoner in prison or prison camp in the custody of the jailor.

7.31. Identification of suspects.—(1) The following general instructions should be kept in view at an identification parade of a suspect—

(a) All efforts should be made to have the identification proceedings of a suspect conducted before a magistrate.

(b) Identification proceedings should be held soon after the arrest of suspects.

(c) Identification proceedings may be either held in Jail, Courtroom or elsewhere. But it should be ensured that the identifying witnesses had no opportunity to see a suspect before hand.

(d) It should be vouchsafed that a suspect put to identification proceedings has been put under veil (Baparda) since the time of arrest, till the proceedings for his identification are actually arranged. A record to that effect should be maintained in General diary and at the jail at the time of his admission in the jail record, when the suspect is handed over to the jail authorities.

(e) The identifying witnesses should be kept separate from each other and at such a distance from the place of identification as shall render it impossible for them to see the suspects or any of the persons concerned in the proceedings, until they are called up to make their identification.

(f) The suspects should be placed among other persons similarly dressed and of the same stature in the proportion of eight to ten persons to one suspect. There should be resemblance in facial out-look of the persons so mixed up with that of the suspects. Each witness has to be called up separately to attempt his identification before the proceedings actually commence. Care shall be taken that the remaining witnesses are still kept out of sight and hearing and that no opportunity is afforded for communications to pass between witnesses who have been called up, and those who have not.

(g) The results of the test shall be recorded in the Form 7.31(i)(g) as prescribed by the General rules (criminal) 1952 by a magistrate conducting the identification proceedings. The same course may be adopted by the other agency carrying on these proceedings. The form should invariably be signed by the magistrate or other authority on the conclusion of the proceedings. The identifying witness should also sign the form. This has to be done by the magistrate and the witnesses in token of the correctness of the proceedings. It is important that once the arrangements for the proceedings have been undertaken, the officer conducting and any police officer assisting him in that investigation should have no access whatsoever either to the suspects or to the witnesses.

(h) Proceedings of the nature described above are extra-judicial. It is not the duty of the officer conducting them or of the independent witnesses to record statements or cross-examine either suspects or identifying witnesses, but they should be requested to question the latter as to the circumstances in which they saw the suspect whom they claim to identify and to record the answer in the proper column of the form. While every precaution shall be taken to prevent collusion, the identifying witnesses must be given a fair chance, and conditions must not be imposed, which would make

it impossible for a person honestly capable of making an identification, to do so. In this connection it is of paramount importance that no alteration in any way of the personal appearance of unconvicted persons should be made so as to make it difficult to recognise them.

(2) The following precautions at the time of identification proceedings are necessary:—

(a) It has to be particularly seen that a suspect should be made to wear the clothes in which he was originally admitted to jail.

(b) There should be no fetters on.

(c) The accused can be given option to change places at will, but cannot be allowed either, to conceal his face or stature so as to impede recognition and to exchange his clothings.

(d) The witnesses are to be called one by one and asked to single out the person or persons they had come to identify and to mention the action they had identified him or them.

(e) Every precaution should be taken to ensure that no succeeding witness communicated in any manner with the preceding one.

(3) As mentioned above only the investigating officers are precluded from being present at the identification parade and witnessing the proceedings. Prosecuting inspectors and prosecuting sub-inspectors may watch the proceedings impartially without impairing their fairness.

7.32. Identification of property. —(i) It is of utmost importance that the articles of property seized by the investigating agency shall be properly sealed on the spot and it should be ensured that the seals are intact.

(ii) The number of articles to be mixed up with the articles of property required to be put to identification test should rest with the magistrate before whom the proceedings are to be carried on.

(iii) The articles of property to be mixed up to with the articles of property put for the purpose of identification should also be contained in sealed bundles.

(iv) The seals must be all along intact and can only be opened before the magistrate conducting the identification proceedings.

(v) As in the identification parade of suspects, witnesses are to be called one by one and no succeeding witness should communicate in any manner with the preceding one.

(vi) It is also important to note that the articles to be mixed up should be similar in appearance to those for identification.

(vii) The prosecuting inspector or the prosecuting sub-inspector may be present at the time of the identification proceedings.

(viii) The articles to be mixed up should be arranged for production according to the instructions of the Government which they may issue in this behalf. However, there should be given no chance, whatsoever for an objection that the articles brought for being mixed up were exposed to the

identifying witness before identification proceedings took place. The arranging of such articles to all intents and purposes should be by an agency other than the police.

(ix) Proceedings of the identification of property shall be recorded in Form 7.32 (IX).

## CHAPTER VIII

### Prosecution and Court Duties.

8.1. Charge-sheet preparations and scrutiny of.—(1) When an accused person is sent for trial the charge sheet ( Form 6.54 (1) ) shall form the final report required by section 173, Code of Criminal Procedure. Loose Forms of charge sheets shall be kept at each police station to enable investigating officers to prepare and submit them even when away from their police stations.

(2) Charge sheets shall be submitted through the Circle Officers Incharge of the Crime of the Police Station concerned.

(3) Charge sheets shall be thoroughly scrutinised by an officer of the prosecuting branch not below the rank of Prosecuting Sub-Inspector, who shall be responsible for seeing that carbon copies of incomplete charge sheets together with the copies of orders passed by Magistrate thereon and other necessary papers are attached; that the identity and previous convictions, of the accused persons have been established; that, in cases when an accused person is on security and such security will be liable to confiscation in the event of conviction, the fact is duly noted in the file so that the attention of the court may be drawn to it; that witnesses are according to the list entered in the charge sheet, that the police file is complete and that no papers belonging to it are attached with the charge sheet, and that no omissions or defects in the investigation remain unrectified or unexplained. After completing his scrutiny as above, the officer of the prosecuting branch shall lay the charge sheet and files before the Circle officer and shall explain the case to him, and take his orders as to whether it shall be put into court or withheld for further police action. Such circle officer shall satisfy himself that the prosecution case is presented in the best possible manner that all material evidence is produced, including evidence calculated to rebut probable lines of defence.

(4) Before sending a charge sheet to head-quarters the investigating officer should collect all witnesses whom it has been decided to produce in court, and take personal recognizances from them to appear on the same date as that on which the charge sheet will reach the court. The challan should reach headquarters not less than one day before the date fixed for hearing of the case. It shall be the duty of the prosecuting branch to facilitate the working of this system and the prompt disposal of police cases by arranging with magistrate that a special period be set apart daily for dealing with fresh challans and by giving magistrates as much warning

as possible of the anticipated presentation of challan (vide rule 6.49) This period should be so fixed as to allow time for witnesses to reach the police office and for challans to be thoroughly checked and at the same time to permit of all new police cases being taken up by magistrate at such an hour that it may be possible for the bulk of the prosecution evidence to be recorded before the court rises for the day. When there are a large number of prosecution witnesses in a case only the more important ones, whose evidence is necessary to facilitate the early framing of charges, shall be sent with the challan.

(5) In all serious cases, when the accused has been arrested and *prima facie* evidence has been produced, the investigating officer shall send the accused for trial without delay, whether the investigation is complete or not. Witnesses should accompany such challans and the same arrangements for the prompt recording of evidence as laid down in sub-rule (4) above should be observed. When available evidence has been recorded, remands or adjournments under section 167 or 344, Code of Criminal Procedure, shall be arranged as may be necessary. Evidence obtained subsequently shall be produced before the court by subsidiary challan.

8.2. Charge sheet slip and road certificate.—(1) With every charge sheet shall be sent:—

- (a) A charge sheet slip in Form 8.2 (1) (a).
- (b) A road certificate.

(2) On the completion of the case in court the charge sheet slip shall be filed in under the orders of the criminal court trying the case and returned to the Circle Officer concerned. The result of the case shall then be entered in the Crime Register and communicated to the Police Station concerned.

(3) In the road certificate shall be entered a list of any weapons, articles or property sent to the magistrate's court in connection with the case. If such articles are received correctly the prosecuting inspector or sub-inspector shall sign a receipt for them on the road certificate and return it to the police station

8.3 Duties of public prosecutors.—(1) The public prosecutors are bound by the rules contained in Chapter I of part I of the Rajasthan Law and Judicial Department Manual, they perform the following duties in Criminal Courts, viz,—

- (a) He shall conduct the prosecution in all cases committed to the court of sessions in the area for which he is appointed.
- (b) He shall appear when instructed by the District Magistrate in appeals, references, revisions and other miscellaneous criminal proceedings before such court of sessions; and
- (c) He shall appear when instructed by the District Magistrate in any criminal proceedings in any court, at the headquarters of the district in which he resides.

- (d) He may be instructed by the District Magistrate to appear in any criminal proceedings in any other court in the area for which he is appointed, provided he is willing to act and can do so without detriment to the discharge of his other duties.

(2) He shall also advise the Collector and Departmental officers in Civil matters of an urgent nature when-ever there is no time to make a reference to the Legal Remembrancer.

**8.4. Police officers as public Prosecutors —**(1) All Superintendents, Assistant and Deputy Superintendents of Police are, with reference to sections 270 and 492 of the Code of Criminal Procedure, ex-officio public prosecutors in respect of all cases committed from their respective districts for trial before the court of Sessions. Where no Government Pleader (Public Prosecutor) has been appointed, or when the services of the Government Pleader are not available, one of the police officers above mentioned may conduct the prosecution in Sessions trials, but the District Magistrate has power in such circumstances, to appoint any other person to be public the prosecutor for the purpose of a particular case

(2) Prosecuting inspectors and prosecuting sub-inspectors of police are appointed public prosecutors in the local areas specified in the list below for all cases which may be required into or be tried by a magistrate including a magistrate having powers under section 30 of the Code of Criminal Procedure.

Officers	Local Areas
Every Prosecuting Inspector of Police.	The district in which the prosecuting inspector is stationed.
Every prosecuting sub-inspector of police stationed at the headquarters of a district.	The district at the headquarters of which the prosecuting sub-inspector is stationed.
Every prosecuting sub-inspector of police stationed at the headquarters of a sub-division.	The sub-division at the headquarters of which the prosecuting sub-inspector is stationed.

(3) When the complainant in a criminal case instructs a legal practitioner to conduct the prosecution, such practitioner shall act under the instructions of the Public Prosecutor as defined in the above sub-rules and rule 8.3.

**8.5. Prosecution of cases under section 110, Code of Criminal Procedure —**Prosecution under section 110, Code of Criminal Procedure, shall, as far as possible, be arranged to take place before a magistrate in camp in the neighbourhood frequented by the persons so prosecuted.

**8.6. Action on breach of terms of security Bonds conditions of restriction.**—(1) Whenever a person on security of any kind is prosecuted for an offence implying a breach of the terms or his bond, special application shall be made, at the time of presentation of the charge sheet, that the court may in the event of conviction, order the confiscation of the security.

(2) When a person violates the conditions of an order passed against him under the Habitual Offenders Act or violates any rule made under the Act, he shall be prosecuted under that Act.

(3) It is the duty of the prosecuting branch to watch the progress of realisation of forfeited security. When the head of the branch finds that, either generally in the district or in a particular case under delay or laxity in realisation is taking place, he shall bring the matter to the notice of the Superintendent, in order that the attention of the District Magistrate may be invited to it.

**8.7. Police Brief.**—(1) In all important cases sent for trial, the investigating officer shall, when ever possible, attend and personally instruct the prosecuting inspector or public prosecutor. In such case he will also prepare a "Police Brief" in Form 8.7 (1) and shall mention therein all matters connected with the case including the probable line of the defence, which in his opinion, should be specially brought to the notice of the prosecutor.

(2) In unimportant simple case no "Police Brief" need be prepared.

(3) In cases of more than usual importance gazetted officers are required to prepare "Police Brief" themselves.

**8.8. Proof of previous convictions** — (1) Previous convictions shall be proved as laid down in section 511, Code of Criminal Procedure.

(2) Requisitions for particulars of previous convictions when required by the police shall be made in Form 8 8(2).

(3) It is the duty of the police, in conducting the investigation, to take proper steps to establish the identity of an accused person and to obtain and produce evidence of previous convictions against him.

Requisitions for particulars of previous convictions, should be made early during the investigation, if there be sufficient grounds, prosecuting officers may apply the magistrate for a remand under section 344, Criminal Procedure Code, so as to produce evidence or previous convictions.

**8.9. Appeals and access to Judicial records.**—(1) Applications for the representation of the State in criminal cases for the institution of appeals against orders of acquittal or for the exercise of its powers of revision by the Court, shall be made through the District Magistrate.

(2) As regards revision of orders of discharge application shall be made to the District Magistrate under section 437, Code of Criminal Procedure.

(3) Superintendents of Police shall peruse the judicial record in all cases where a police officer is convicted or, through acquitted, is left under suspicion or censured. The object of this is to enable departmental action to be taken where necessary. Copies of judgments and translations of the same where necessary, in such cases, will be supplied free of charge.

The Inspector General of Police or any Deputy Inspector General may, on giving reasons, call for the record of any decided case, in which



the police are affected. Unless there are grave reasons to the contrary, in which case the Sessions Judge will decide the point, the request will be complied with. The Inspector-General of Police has a right to call for the records in all cases of professional crime.

Courts are required to send to the Inspector-General of Police for record copies of such confessions as may be of value to the police.

All modifications of original decisions made in appeal, revision or reference are required to be communicated by the District Magistrate to the prosecuting branch of the office of Superintendent of Police.

Copies of judgments and depositions required by police officers in the course of their duties are exempted from the charges authorized under the Court Fees Act. Gazetted officers and all prosecuting inspectors and prosecuting sub-inspectors, within the limits of their jurisdiction as public prosecutors (rule 8.4) can obtain, free of all charges, copies of any part of the record of a case, which they may require in their capacity as public prosecutor, the cost being met by District Magistrate or the Courts concerned.

With the exceptions noted above, police officers are not entitled either to have original judicial records handed over to them for perusal or to obtain copies free of charge. On the frequent occasions when it is necessary for Superintendent of Police, in the discharge of his duties, to study the evidence and decisions recorded at a trial, the proper channel for obtaining access to such records is through the authority of the District Magistrate, when a perusal of the original record will suffice, copies should be dispensed with. It is the practice of the High Court to print the proceedings in all cases in which the death sentence is inflicted, and it is sometimes possible in such cases to obtain spare copies of the printed records on application through the Deputy Inspector General of Police, Criminal Investigation Department, to the Registrar of the High Court.

**8.10. Maintenance of order and watch over prisoners in court.--(1)** On every day when the courts are sitting, a sufficient number of police shall be provided in the precincts of the courts to guard prisoners, take into custody persons who surrender to their bail, whose bail bonds are cancelled, or who may otherwise be arrested by the order of a court, and to preserve order in and in the neighbourhood of courts. The guard in court shall be strengthened when prisoners are of a desperate and dangerous character or, when a case is being heard which is likely to cause public excitement or demonstrations.

**(2)** All prisoners under arrest shall invariably be thoroughly searched before being taken into court; the police officer in command of the party furnishing guards for prisoners shall be personally responsible that this is done. If, in accordance with rule 7.23, prisoners have been brought to the court in handcuffs, the handcuffs shall not be removed in court unless this is specially ordered by the presiding officer,

## Rajasthan Police Rules

**8.11. Compounding of case under section 420, Indian Penal Code.—**Sanction to compromise in cases under section 420, Indian Penal Code, should be resisted, where habitual cheats and professional swindlers are concerned, and also in all cases which show features of danger to a wider public than the complainant in the individual case before the court. A case coming into the latter category would be one in which the method by which the crime has been committed is or is likely to be widely employed.

**8.12. Prosecuting Agency-Composition of.—**(1) The police prosecuting agency in each district shall consist of such number of gazetted and subordinate officers, as may, from time to time, be sanctioned by the State Government.

(2) A Constable shall be attached as court orderly to the court of every magistrate having first class or superior powers.

**8.13. Duties of head of prosecuting agency.—**The duties of the head of the police prosecuting agency whether he be of the rank of Deputy Superintendent of police or Inspector or Sub-Inspector, shall be as follows:—

(i) Thoroughly to scrutinise challans and intermediate references and applications from police stations in connection with the prosecution of cases, the arrest of offenders, the confiscation of bail or security bonds, and other matters in which his advice or the orders of a court are required. The preparation for court and prosecution of all security cases, including security for keeping the peace (vide rule 4.28), should receive as much attention from the district prosecuting staff as is practicable.

(ii) To prosecute, watch or direct the prosecution of cases in the courts of the district. In this connection it must be realised that his duty embraces not only the presentation of the prosecution case but contesting the claims of the defence and ensuring the observance of conditions and restrictions imposed by the law on the discretion of courts to pass orders in certain circumstances, and the observance of all High Court orders issued with the object of expediting decisions and preventing abuses.

(iii) To supervise and distribute the work of prosecuting officer subordinate to him and of the police personnel attached to his office or to the courts.

(iv) To supervise the transmission of warrants and summons to the executive police under the orders of the criminal courts, and to see that returns to such processes are made without delay.

(v) To keep the District Magistrate and the Superintendent of Police informed of all important matters in connection with criminal cases under trial, to bring to notice cases requiring to be specially reported to him, and to submit a daily diary in Form S.13 (v) showing cases sent for trial, convicted, discharged and pending in court on that particular day.

(vi) To see that the instructions in connection with the diet money and travelling expenses of witnesses are duly observed.

(vii) To see that payments for bills submitted through him for all judicial expenses incurred by the officers incharge of police stations are made promptly. For this purpose he will maintain a register in Form 8.13 (vii). For all sums of money received from the Nazir a receipt must be given in the prescribed form.

**Note**—One combined receipt for all sums received from the Nazir on any one day may be given.

(viii) To see that the results of cases in court are promptly communicated to police stations concerned according to rule, and especially to bring to the notice of the Superintendent, together with an abstract or copy of the judgement, if necessary. Orders of acquittal or discharge or other orders of courts, which either reflect in any way on the conduct of the police or indicate that the theory on which the case was prosecuted has broken down.

(ix) To keep in view the orders regarding the formation of criminal museum at the Police Training School, Kishangarh, and to take the orders of the Superintendent for the acquisition of such weapons, instruments or other articles connected with cases sent up for trial as may be considered useful as exhibits of educational value, and to forward them with a brief account of their use or object to the Principal, Police Training School, Kishangarh.

(x) To supervise the work of the Hindi office of the Superintendent of Police and to exercise a close and constant check on the maintenance of the registers pertaining to the prosecution branch. In these respects the prosecuting Deputy Superintendent or Inspector is directly responsible as assistant to the Superintendent of Police.

(xi) In the execution of these functions, the head of the prosecuting agency may distribute work and delegate his duties among and to prosecuting inspectors and sub-inspectors subordinate to him, to such extent as may be approved by the Superintendent of Police and as is not inconsistent with any Police Rule or other order of a competent authority.

**8.14. Registers to be maintained by prosecuting Deputy Superintendent or the inspector, or Sub-Inspector.**—The need of the Police Prosecuting Agency shall, with the help of his assistants, maintain the following registers:—

(1) Register of warrants and summons received for execution and service by the police in Form 8.14 (1).

This register may be destroyed two years after being completed.

(2) Register of intermediate orders in Form 8.14 (2).

This register may be destroyed two years after being completed.

(3) Register of persons on security under the provisions of the Code of Criminal Procedure, or local and special Laws, in Form 8.14 (3).

This register shall be divided into separate parts for each police station in the district.

At the end of each year the names of those persons remaining on security shall be rewritten in the order in which their securities are timed to expire.

(4) Register of excise cases occurring during the year in which police officers have been directly concerned, in Form 8.14 (4).

(5) Permanent advance account of all judicial expenses in prescribed form.

This register may be destroyed three years after being completed.

(6) Register of absconders, in Form 4.20 (1).

(7) Register showing progress of action against absconders in Form 4.21.

**8.15. Prosecuting agency to attend office when court are closed.**—At district headquarters, on days on which the courts are closed, an officer of the prosecuting branch not less in the rank than a sub-inspector shall attend the office of the Superintendent to receive accused persons, weapons, articles and property and to transact urgent business. At magisterial outposts the prosecuting sub-inspector and court orderly respectively shall attend the police station for the same purpose.

**8.16. Duties of prosecuting Sub-Inspector and court orderlies.**—(1) Prosecuting sub-inspectors at sub-division of district shall perform the duties detailed in clauses (i) to (iv) and (vi) to (ix) of rule 8.13. As regards clause (v) of rule 8.13 the prosecuting sub-inspector in a sub-division shall have the same duties in relation to the gazetted police officer incharge of the sub-division and the sub-divisional officer as the head of the prosecuting agency has in relation to the Superintendent of Police and the District Magistrate. He shall also submit to the gazetted officer in charge of the sub-division a daily diary in Form 8.13 (b).

(2) In sub-divisions of districts all registers prescribed in rule 8.14 shall be maintained by the prosecuting agency.

(3) Rule 8.15 to Rule 8.16 shall apply *mutatis mutandis* to all prosecuting sub-inspectors at sub-division.

(4) Court orderlies in all courts are responsible that order is kept in courts under the direction of magistrates. They will obey all orders given to them by the officers prosecuting cases and will take charge of exhibits and the police files of cases when ordered to do so.

**8.17. Supply of copies under sections 162 and 173 (4) Code of Criminal Procedure.**—After forwarding a report U/s 173, Code of Criminal Procedure, the officer incharge of the police station shall, before commencement of the enquiry or trial, furnish or cause to be furnished to the accused free of cost, a copy of the report forwarded under sub-section (i) of section 173, Criminal Procedure Code and of the first information report recorded

U/s 154, Criminal Procedure Code and of all other documents or relevant extracts thereof, on which the prosecution proposes to rely, including the statement and confessions, if any, recorded U/s 161, Criminal Procedure Code and the statements recorded under sub-section 3 of section 161, Code of Criminal Procedure of all the persons whom the prosecution proposes to examine as its witnesses.

**8.18 Production of police records as evidence.**—(1) A police officer is bound, under the provisions of section 162 of the Evidence Act (1 of 1872), to produce any document in his possession or power if summoned to do so, but, if such document is an unpublished official record relating to any affair of State, he is prohibited by section 123 of the same Act, from giving evidence derived from it.

(2) The following police records are privileged under section 123, Evidence Act. If their production is demanded, a certificate in Form 8 18 (2) must be obtained from the Inspector-General by the Police officer called upon to produce them. The Inspector-General may at his discretion allow evidence derived from such documents to be given and in order to enable him to exercise this discretion it is important that a police officer claiming privilege in respect of any document, should submit either the original document, a copy, or a full translation of it in Hindi, together with a report indicating why it is necessary to claim privilege and also that his claim is justified.

- (i) The Surveillance Register (Rule 4.4).
- (ii) Village Crime Register, Part IV (Rule 3.47),
- (iii) History Sheets (Rule 4.9).
- (iv) Bad Character Rolls and Information Sheets (Rules 4.16 and 4.17).
- (v) Case Diaries.
- (vi) All unpublished orders of Government or of the Inspector-General of Police contained in files or in the police gazette.
- (vii) All documents or orders which are classed as "Secret" or "Confidential."

(3) While the prohibition of the giving of evidence derived from other police records is not absolute, the provisions of section 124, Evidence Act, permit a police officer to refuse to disclose orders or other communications made to him in the course of his official duties, when he considers that the public interests would suffer by such disclosure.

(4) When the production of official correspondence is question, the head of the office possessing such correspondence has authority to grant or withhold permission under section 123 of the Evidence Act. In exercising this discretion he shall be guided by the general rule that correspondence may not be produced without the permission of the highest authority concerned in it.

**8.19 Co-operation of Jail officials in identification of prisoners.**—Information that a convicted prisoner has not been identified should invariably be given to the Superintendent of the Jail concerned. Under the provisions of the Jail Manual such prisoners are required to be specially classified and the Superintendent of the Jail is required to furnish the police with the names and particulars of all persons who visit them and with clue as to their identity which may be obtained from examination of letters despatched by or addressed to them.

**8.20 Assaults on Police prosecution for.**—When assaults are committed upon the members of the police force while in the execution of their duties, the prompt prosecution of the offenders should be arranged for, if possible at, or near, the scene of the offence, adequate sentences being pressed for by the prosecuting agency.

**8.21 Diet of accused persons.**—The instructions regarding the dicting of accused persons arrested by the police and the recovery diet money are contained in rule 7.27.

**8.22 Record of conviction.**—Conviction and orders to execute bonds in all cognizable police cases shall be entered in (a) the Crime Register which is maintained in the office of the Circle Officer, and (b) in the First Information Report Register which is maintained at the police station reporting the offence. Convictions and orders in the cases detailed below shall also be entered in (c) the Conviction Register which, for the purpose of section 75, Indian Penal Code, is maintained in each police station as prescribed in Chapter IV.

### I—(Indian Penal Code)

#### *Chapter Sections.*

XI	193 to 195	Giving or fabricating false evidence.
	211 to 377	False charge of committing an unnatural offence.
XII	231 to 232	Counterfeiting of coin.
	233 to 235	} Making, buying, selling or having in possession } instruments of material for counterfeiting coin.
	236	
		} Abetting the counterfeiting of coin out of India.
XIII	237 to 238	Import or export of counterfeit coins.
	239, 240	Possession or delivery of counterfeit coin.
	242, 243	
	244	Unlawful alteration of weight or composition of coin by persons employed in Mints.
	245	Unlawful removal of coining instruments from Mints.
	246 to 253	Unlawful alteration of weight, composition or appearance of coin and possession and delivery of such coins.
	255	Counterfeiting of Government stamps.

	256 to 257	Making, buying, selling or having in possession instruments or material for counterfeiting Government stamps.
XII	258 to 259	Possession or sale of counterfeit Government stamps.
	260	Using of counterfeit stamps.
	261 to 263	Fraudulent effacement or erasure of Government stamps.
XVI	311	Being a Thug.
	354	Indecent assault on a woman,
	363 to 369	Kidnapping.
	376	Rape.
	377	Unnatural offence.
XVII	379 to 382	Thefts of all kinds.
	384, 386 to 389	Extortion of all kinds, except section 385.
	392 to 394	{ Robbery of all kinds.
	397 & 398	{
	395 396	{ Dakaiti of all kinds.
	399 402	{
	400 & 401	Belonging to a gang of thieves or dacoits.
	404	Dishonest misappropriation of property belonging to a deceased person.
	406 to 408	Criminal breach of trust by public servant.
	411 to 414	Receiving stolen property.
	418 to 420	Cheating of all kinds, except simple cheating, section 417.
	429 to 433 and 435 to 440	Serious mischief.
	449 to 452	House-trespass in order to commit an offence.
	454 to 458	Lurking house-trespass or house-breaking other than simple, section 453.
	459 & 460	Grievous hurt or death caused in house breaking.
	461	Dishonesty breaking open a closed receptacle.
	462	Fraudulently opening a closed receptacle held in trust.
	465 to 469	Forgery.
XVIII	489 A to 489 D	Forgery of currency notes and bank notes.

## II (Code of Criminal Procedure).

Chapter VIII Sections 108, 109 and 110 Bad livelihood.

## III (Miscellaneous Acts).

Gambling Ordinance, Opium Act, Indian Arms Act (54 of 1959).

## IV (Other Offences)

All offences, in cases in which the subsequent proof of the conviction so recorded would render the person convicted liable by law to enhanced punishment on subsequent conviction of the same or similar offence by reason of the proof of such former conviction, and all offences in which upon such proof, the law establishes a presumption in favour of the prosecution.

## ILLUSTRATION

(a) Offences under section 66 of Rajasthan Excise Act shall be so entered because an enhanced punishment is provided for subsequent conviction.

(b) Offences under section 112 of Motor Vehicle Act.

(c) Offences under section 31 of Arms Act etc.

**Note:—**Convictions for theft by courts-martial, although the persons convicted have not been sent up for trial or prosecuted by the police, shall also be entered in the conviction registers in all cases in which the convictions are intimated to the Civil authorities.

**8.23. Entries in conviction register when made.—**The entries shall be made:—

(a) if there is no appeal, immediately.

(b) if an appeal is made and the conviction is upheld, when the result of the appeal is known.

(c) if an appeal lies but is not made, when limitation has expired.

**8.24. Entries of conviction how and when made.—**(1) Entries of convictions shall ordinarily be made from charge sheet slip.

(2) When the entry has been made in the general Crime Register the charge sheet slip shall be sent to the police station.

(3) when charge sheet slips are kept pending for results of appeals to be known they shall be kept in pigeon holes by the official in charge of the General Crime Register and separate intimation of the results of the case in the lower courts shall be sent to the police station.

**8.25. Despatch Register of charge sheets and conviction slips.—**(1) A Despatch Register of charge sheet and conviction slip referring to cases included under rule 8.22 shall be maintained in Form 8.25(1) by the official in charge of the General Crime Register.

Separate pages shall be allotted for each police station in the district and for conviction slips received from magistrates of other districts.

(2) After the necessary entries have been made in the First Information Report Register and Conviction Register, charge sheet slips and convi-



ction slips shall be kept in separate record in the police station which shall not be destroyed.

**8.26 Despatch of conviction slips in other cases.**—(1) If the charge sheet slip refers to the conviction of a person for an offence included under rule 8.22 of a person who is a resident of a police station other than that from which the case was sent for trial, the official in charge of the General Crime Register shall send a conviction slip in Form 8.26 in addition to sending the charge sheet slip to that police station of which such person is a resident.

If such police station is in another district the conviction slip shall be sent through the Superintendent.

(2) If there is any doubt as to the residence of a convict, or if a convict is unidentified or belongs to foreign territory, the conviction shall be recorded in the police station from which the case was sent for trial. In such a case a notice may be sent for publication in the Criminal Intelligence Gazette.

**8.27. Intimation of conviction from courts.**—Convictions in case included under 8.22 which dealt with by magistrates direct, shall be entered in the Conviction Register on receipt of intimation from magistrates

**8.28. Publication of conviction of foreigners etc. in Criminal Intelligence Gazette.**—Conviction, obtained in the Rajasthan State of subject of any foreign State, shall, in addition to the record prescribed in the above rules, be recorded in the like form together with the descriptive roll of the person convicted in the English and Hindi editions of the Criminal Intelligence Gazette.

**8.29. General Crime Register.**—A General Crime Register in Form 8.29 shall be maintained in Hindi in the office of the Circle Officer.

(1) The particulars of every cognizable offence reported to the police shall be entered in such register.

(2) The register shall be divided into groups of offences corresponding with Statement of the Annual Report. At the top of the first page allotted to each group shall be written the heading of the group and pages shall be cut to display the heading.

(3) On the receipt of the counterfoil of the first information report the return writer shall enter in the register as many of the particulars required as may be possible, and shall endorse on such counterfoil the words "Entered contents in the General Crime Register" with the date and his signature.

As the investigation proceeds he shall enter from the case diaries any additional particulars necessary to complete the form, and shall similarly endorse such case diaries.

(4) If a case sent up by the police is convicted under a section of law, other than that entered in the register a red line shall be drawn through

the original entries and fresh entries made under the group which includes the offence of which the offender is actually convicted.

If one person is convicted of the offence originally entered and another person of a different offence, the original entry shall be corrected and a fresh entry made of the separate conviction.

(5) Every erasure and alteration shall be made so that the original entry remains legible.

(6) Cases cancelled or transferred to other district shall be erased by a red line drawn through them and an entry made giving an abstract of the order of cancellation or transfer, with the date and the name of the officer who made it.

(7) At the close of each year the register for the year in question shall be totalled.

Each group of offences after deducting cases cancelled and transferred shall be totalled separately, these totals being required for the preparation of annual statistics of crime.

(8) Each annual volume shall be strongly bound and kept for ten years.

**8.30. General Crime Register, Rules for maintenance of.**—The following rules shall regulate the maintenance of the General Crime Register and the preparation of annual statistics of crime :—

(i) Each separate offence shall be reckoned as a separate case, although several such offences may have been joined for the purpose of the trial.

(ii) The question whether a set of facts constitutes one offence or more than one offence shall be determined with reference to section 235, Code of Criminal Procedure.

(iii) In prosecutions for bad livelihood and for nuisance under section 34 of the Police Act, a separate case shall ordinarily be entered for each person arrested.

(iv) When a case sent for trial and a final order is passed, such case shall be entered under the section of the Act under which the accused person is convicted or acquitted. The final order is the order which stands after all appeals have been heard.

If such conviction or acquittal covers the facts reported by the police, the police returns shall, if they differ be amended accordingly and the original report cancelled.

#### Illustration

(a) The police send up A for trial of murder. A is convicted of culpable homicide. The returns shall be corrected by an entry under culpable homicide and by cancelling the entry under murder.

(b) The police send up B for trial of murder. B is convicted under section 318, Indian Penal Code. Here, if a murder was committed, as the

conviction does not cover the facts of the police reports though it covers the evidence the police were able to produce, the entry of murder shall stand, and a new entry be made under section 318, Indian Penal Code.

(c) C is found in possession of suspicious property and is sent up for trial on a charge of theft. He is convicted under section 411, Indian Penal Code. The property corresponded with that stolen in a case reported. The theft may be cancelled and an entry made under section 411, Indian Penal Code, if the evidence leaves the presumption evenly balanced between theft and receiving; but if the evidence shows that C received the stolen property from the thief, the case of the theft shall stand and a new entry be made under section 411, Indian Penal Code.

(v) Cases cancelled by the order of the District Magistrate shall be excluded from the police returns, but the arrest of any person in a case thus cancelled, together with the particulars required by the form shall be shown in the columns relating to persons.

(iv) A case shall be shown only in the returns of the district in which it was investigated, or, if transferred to another district for trial, in the returns of such district.

(vii) A "decided" case is a case which has been brought to trial.

(viii) A "discharged" person is one not brought to trial.

(ix) Bank notes, bills, and cheques payable to bearer shall, when their cash value has been effectually transferred from the person from whom they were stolen, or taken in an offence, be entered at their cash value.

Bonds, securities, cash books, ledgers, and the like shall be entered only at the value of their component materials.

Property stolen or recovered shall be entered in the returns of the year in which the report is made irrespective of the true date of such loss or recovery.

No such loss or recovery shall be recorded in the returns of more than one year.

(x) When a summons case is dismissed or a compoundable case compounded, any person arrested in such case shall be shown as acquitted.

(xi) If an accused person is discharged and subsequently re-arrested and convicted on the same facts, or if an accused person is acquitted and such acquittal is subsequently quashed and the person convicted on the same facts, only one arrest and one conviction shall be shown in the police returns.

(xii) When an accused person dies, commits suicide, or becomes of unsound mind after the commission of an offence, a note of the fact shall be made in the column of remarks of the return in question.

(xiii) Person shall be shown as acquitted or discharged, who die before the conclusion of the trial or who are discharged or acquitted in a

cognizable offence, whether such offence has been cancelled or not, and whether they are convicted of a non-cognizable offence or not.

**8.31. Records of First Information Reports and Case Diaries.—**(1) Case diaries shall be filed, in order of dates with the first information report of the case in question.

(2) In the record room of each District and Circle Office there shall be an almirah containing three rows of pigeon-holes, each row containing as many pigeon-holes as there are police stations in the district of circle.

A set of three pigeon-holes shall be allotted to each Police Station :

(a) In the upper row shall be kept complete cases, in which the final report or charge sheet has been received and papers connected with cases which have previously been removed from the almirah.

(b) In the middle row shall be kept first information reports in pending cases and case diaries which have been duly sorted and placed in order of dates.

(c) In the lower row shall be kept unsorted papers connected with pending cases.

(3) The files of the cases under investigation or pending shall be removed from the middle row and placed in the upper row as soon as final report has been received and filed.

The papers in the lower row shall, as far as possible, be sorted daily and placed with their respective first information reports in the middle row.

**8.32. Monthly Shorting.—**(1) At the end of each month, or sooner if convenient, the cases in the upper row which are no longer pending investigation shall be sorted and divided into separate packets as follows:—

(a) All traced cases and untraced bailable cases including cancelled cases.

(b) Untraced non-bailable cases, in which action under section 512, Code of Criminal Procedure, has been not taken.

(c) Untraced bailable and non-bailable cases in which action under section 512, Code of Criminal Procedure has been taken.

Each packet shall be placed in the record room in the current year's bundle of the Police Station concerned.

A list of all the First Information Reports contained therein shall be kept with each packet under (b) and (c).

In (a) packets, the cases shall be arranged in order of the serial numbers of the First Information Reports.

(2) At the end of the current year, the packets in the current year's bundle shall be removed and placed in other bundles in accordance with sub-rule (3).

(3) In the record room four separate bundles of case files shall be kept for each police station as follows:

One bundle for the current year's case files which shall contain all the packets under (a), (b) and (c), in accordance with sub-rule (1)

One bundle for the previous year's case files containing only packets under (a).

One bundle for the case files of the last year's but one, containing only packets under (a).

One bundle for the files of all cases under (b) reported during the past five follows:—

The bundles of each police station shall be tied up in cloth of a distinctive colour and each bundle shall be marked with the name of the police station and the year to which its contents belong, as follow:—

Current year	....	(a), (b) and (c) files.
Previous year	....	(a) files.
Last year but one	....	(a) files.
Previous five years	....	(b) files.

(4) The files of cases coming under (c), of all police stations, shall, on removal from the current year's bundle, be tied up together in one bundle in cloth of a distinctive colour.

The bundle shall be labelled "50 years bundle" and names of all the police stations concerned shall be entered on the label.

Such annual bundles shall be kept together in a separate part of the record room.

(5) The packets of case files shall be disposed of as follows:

- (i) Packets coming under (a) will be removed and destroyed after two years from the date of the decision of the case in the Trial Court provided that no appeal or revision in the case is pending in the Appellate Courts. Untraced bailable cases including cancelled cases will be removed and destroyed after two years from the date on which the Magistrate has passed orders about the case being kept as untraced or cancelled as the case may be.
- (ii) Packets under (b) will be removed and destroyed after five years from the date of order of the Magistrate for keeping the case as untraced.
- (iii) Packets coming under (c) will be removed and destroyed after fifty years from the date of conclusion of proceedings under section 512, Criminal Procedure Code.

## FORM No. 2.29

R.P.M.  
M.O.B. No.

## NAME INDEX CARD

..... Father's/Husband's name .....  
 Full particulars of residence. ....  
 Date of birth or approximate year of birth. ....  
 Height. .... History sheet classification. ....  
 Reference to M. O. Refister. ....

## FORM No. 2.29

R.P.M. 2  
M.O.B. No.

## ALIAS INDEX CARD

Alias ..... Name with father's/husband's name .....  
 Classification of History Sheet .... Reference to M. O. Register ....

## FORM No. 2.29

R.P.M.  
M.O.B. No.

## M. O. INDEX CARD

Modus operandi ..... Name with father's/husband's name.....  
 Alias ..... Complete particulars of residence. ....  
 Classification of history sheet.

## FORM No. 2.29

## HISTORY SHEET CLASSIFICATION

## HISTORY SHEET

No .....  
.....

- I. Name, Surname with aliases, if any.
- II. Father's/Husband's name with aliases, if any.
- III. (a) Caste or Tribe. (b) Trade or Profession.
- IV. Residence (Village, Police Station & District).
- V. Whether identified, if so by whom.
- VI. District Serial Number with date.
- VII. Names of Identifying Officers with designation.
- VIII. Photo, if any.

Negative No.

Date on which photographed.

## IX Descriptive Roll

Description. Delete what is not applicable. If nothing extreme under the hand, delete all sub-heads (Underline any distinctive point.)

Age on ..... or .....  
 Date of birth. ....  
 Height.... .. Feet.... .. Inches.

Build	Thin	Stout	Erect,	Stopping.
Hair	Colour....	....	Bald	Cut....
Eyebrows	Thick.	Thin.	Arched	Straight.
Forehead	High	Low	Upright.	Sloping.
Eyes	Large	Small	Wide-set,	Close-set
Iris....	....	....	....	....
Sight	Long.	Short	Wears	glasses.
Nose	Large	Small	hooked	Snub
Mouth	Close	Shut	Shows	teeth.
Lips	Thick	Thin	Protruding.	Hare-lip.
Teeth	Discoloured.	Irregular	Missing in front.	
Fingers	Long	Short	Stub.	Pointed,
Chin	Receding	Protruding.	Square.	Pointed
Ears	Large.	Small.	Protruding	Long
Set	low.	Set	high	
Face	Long.	Round.	Smiling.	Scowling.
Complexion	Fair.	Brown.	Black.	Sallow.
Beard	Colour....	....	....Long....	....
Moustaches	Colour....	....	....Long.	Clipped.
Any other descriptive points.				

#### X. Modus Operandi.

(In coining cases, notes on process employed and analysis of the coin should be given by C.I.D.).

#### XI. (a) Usual Field of operation. (b) places of habitual resort.

#### XII. Previous history, also showing hereditary criminality—

#### XIII. Names of principal relatives with parentage and address.

#### XIV. Names of associates and accomplices with parentage and address.

XV. Cases in which convicted or suspected—to be arranged chronologically with short history giving modus operandi clearly, along with District and Police Station, case number, date and section and in convicted cases date of conviction, sentence, name of the Court convicting and section of law under which convicted—

Note: 2 separate sub-columns should be provided for cases convicted and cases suspected)

#### XVI. Property (movable and immovable).

#### XVII. Current doing and checking by police officers, etc.

## FORM No. 2.29

DESCRIPTIVE, DEFORMITY & PHYSICAL  
PECULARITIES, CARDS

R. P. M. 5

1. Special Features or Deformities.
2. Name and Parentage/Husband's name.
3. Complete particulars of address.
4. Complete particulars of address.
5. History Sheet Classification.

## FORM No. 2.29

R. P. M 6

## PROPERTY CARD, LOST/STOLEN, (IDENTIFIABLE)

1. Name of article (in English and Regional language).
2. Marks of identity.....3. Identification number, if any .....
4. Owner's name and address.
5. Particulars of case, in which Stolen/Lost.
6. Suspected Mode of disposal.

## FORM No. 2.29

R. P. M. 6A

## PROPERTY CARD, RECOVERED (IDENTIFIABLE)

1. Name of article (in English and Regional language).
2. Marks of identity.... 3. Identification number, if any.
4. Owner's name & address.
5. Particulars of case in which Stolen/Loss & Recovered.
6. How recovered.

## FORM No. 2.29

R.P.M, 7

## WANTED INDEX CARD (FOR ABSCONDERS).

- (i) Name and parentage/husband's name.
- (ii) Aliases.
- (iii) Complete particulars of residence notice place.
- (iv) Description including deformities/and peculiarities.
- (v) Places likely to be visited by the absconders with reasons to do so.
- (vi) Modus operandi, style, trade mark and transport used.
- (vii) Complete particulars of the cases, in which absconding.
- (viii) F. P. Classification, if any.
- (ix) History sheet classification (if any).
- (x) Photograph, if available.



## FORM No. 2.29

R.P.M. 7A

## WANTED INDEX CARD (FOR ABDUCTED PERSONS)

- (i) Name and parentage/husband's name.
- (ii) Aliases....
- (iii) Complete particulars of residence.
- (iv) Description, including deformities, peculiarities and dress last worn.
- (v) Places to which the abducted person is likely to be taken/confined.
- (vi) Particulars of the case in which abducted.
- (vii) Photograph, if available.

## FORM No. 2.29

R.P.M. 7B

## WANTED INDEX CARD (FOR MISSING PERSONS).

- (i) Name and parentage/husband's name.
- (ii) Aliases.
- (iii) Complete particulars of residence.
- (iv) Description, including deformities, peculiarities and dress last worn.
- (v) Brief facts showing how found missing.
- (vi) Likely places to which may be taken.
- (vii) Circumstances in which found missing.
- (viii) Photograph, if available.

## FORM No. 2.29

R.P.M. 7C

## WANTED INDEX CARD

*( for Dead Bodies. )*

- (i) Detailed description of the dead body with marks of identification.
- (ii) Place and circumstances in which found.
- (iii) Details of marks of violence or injuries.
- (iv) Result of post mortem examination.
- (v) A copy of the photograph.
- (vi) Result of report from Finger Print Bureau regarding finger prints.

## FORM No. 2.29

R.P.M. 8

## STYLE INDEX CARD

1. Style or profession alleged.
2. Name and Parentage/husband's name.

3. Aliases: ... 4. Complete particulars of address.
4. History Sheet Classification.

Note:—"Style" indicates criminal's alleged trade/profession at the time of, or immediately prior to commission of offence.

## FORM No. 2.29

R.P.M. 9

## TRADE MARK INDEX CARD

1. Trade mark.
2. Name & Parentage/husband's name.
3. Aliases ..... 4. Complete particulars of Residence.
4. History sheet Classification No.

Note:—"Trade mark" indicates any extraordinary act done by criminals e.g. poisoning dogs, changing clothes, consuming food or committing nuisance etc not associated with crimes.

## FORM No. 2.29

R.P.M. 10

## CRIME REPORT

## POLICE STATION

FIR No.

Dated-

Under Section  
(Show Beat number/  
Division number in  
case of Cities).

1. Place of Offence.
2. Name and address of complainant. Home Address.
3. Time and date of occurrence.
4. Name and address of accused with aliases and nick name.
5. Brief facts of the case (including as many points as can be answered from the points below).
  - (a) Class of persons or property attached (i.e. woman, child, money-lender, dwelling house, shop, Mill, temple etc.).
  - (b) Actual point of entry (i.e. back or front door, gully, roof, wall etc.).
  - (c) Means employed (i.e. how property or person was approached, pipe climbing, bar bending, enticed by bogus message etc. how victim induced to part-with property, forged cheque bogus employment etc. Kinds of tools used in effecting entry, Jemmy, duplicate key or other implements).
  - (d) Object offence (i.e. jewellery, cloth, money, cycles etc )
  - (e) Time, showing occasion (Prayer time, office hours, meal time etc ).
  - (f) "Style" (criminal's alleged trade or profession at the time of or immediately prior to commission of offence).
  - (g) "Tale" (Criminal's previous account of himself in locality).

- (h) Associates or 'Pal' (number of persons engaged in the crime).
- (i) "Transport" kind of conveyance used by criminals either for themselves or for conveying property.
- (j) "Trade" Mark (Anything particular act done by criminals such as poisoning dogs, changing clothes, committing nuisance).
- (k) Previous:—(a) Convictions, (b) Suspensions.
- (l) Relations. (m) Associates.
- (n) Property of the accused person.
- (o) Area of operation.
- (p) Description and value of stolen property and remarks regarding recovery, if any:—

(1) Identifiable                      .... (2) Unidentifiable                      ....

Investigating Officer,  
Police Station .....

FORM No. 2.29

R.P.M. 11.

### FINAL REPORT

(OPTIONAL AT STATE AND DISTRICT LEVEL)

Police Station

Case F. I. R. No.

of u/s.

Complainant.

- (a) Case classified true or false.
- (b) No further clue for detection of the case could be obtained. The case was, therefore, classified as true but undetected.
- (c) The following further clue was obtained regarding accused and property \*(but as the accused could not be traced, the case was classified as true but undetected).

\*(Strike off if case is detected).

1. Property stolen Rs .....
2. Persons wanted or arrested and on what information (description, relations, etc.) to be given in criminal History sheet.
3. Details of part played by each accused in commission of the crime or in disposing of stolen property and on what information and from where property was recovered and which property.
4. Result of action taken against each accused.  
(If sent up to court, give court case No. also).
5. If any of the accused was concerned in any other cases, P.S., Case No. and section of offence and total sentence of each accused.

## FORM No 2.29

R.P.M. 12.

From

Station House Officer,

P. S. ....

Districts.....

To

The Manager,

M. O. B Rajasthan,

Jaipur.

Subject:—M. O. B.

..... S/o ..... Caste.....

R/o..... P.S..... District.....

was arrested on ..... at A. M./P. M. in case F. I. R. No.

..... Dated ..... U/S..... P.S.....

He is being sent for verification in the M. O. B.

Station House Officer,

P. S.....

## FORM No. 2.29

R. P. M. 13.

## DESCRIPTIVE ROLL.

F. I. R. No.....dated.....Section of Law .....

P. S ..... District.....

1. Name, aliases &amp; parentage/husband's name of the accused.

2. Caste

3. Occupation.

4. Native place.

5. Present residence.

Description:—(Delete what is not applicable, underline every distinctive point).

Age (Year of birth).

Height.....feet.....Inches.

Built. Thin, Stout, Erect, Stooping, Medium, Strong.

Complexion. Fair, Wheat, Brown, Black, Sallow.

Face. Long, Round, Square, Smiling, Scowling, Wrinkled.

Hair. Colour, Bald, Cut, Curly, Straight.

Eye Brows. Thick, Thin, Arched, Straight, Meeting, Bushy.

Fore head. High, Low, Upright, Slipping, Bulging, Broad, Narrow, Wrinkled.

Eyes. Large, Small, Wide set, Close set Blind eyes, Squinty eye, Cat's eye, Cataract eye.

Colour. of Iris Black, Brown, Blue, Green.

Sight. Long, Short, Wears Glasses.

Nose. Large, Small, Hooked, Snub, Straight, Thick, Thin.

Mouth. Close shut, shows teeth, Large, Small.

Lips. Thick, Thin, Protruding, Hair-lips, Long or short Upper.

Teeth. Small, Large, Protruding, False gold, Studded or covered with gold.... Missing in front....  
Discoloured . ... irregularly.

False teeth.... Gold teeth ... Gold points.

Fingers. Long, Short, Stub, Pointed . Fingers deformed

Chin. Receding, Protruding, Square, Ball, Pointed, Long, Short, Double, Dimpled, Biloted

Jaw. Square, Narrow.

Ear. Large, Small, Protuding Long, LoLe's Pierced, Set low/Set high.

Beard. Colour.... Long.... Style....

Moustaches. Colour.... Long . Clipped. Turned up. Droopling.

Marks on forearm.... Marks on face....

Marks on hands.... Marks on neck....

Marks on chest or stomach.... Marks on back ...

Marks on feet ... other peculiarities ...

Peculiarities of manner....

Appearance. Up-right, Slovenly, Walks fast or Slowly, Talks fast, slow, Loud, Soft/harsh Voice.

Dress.

Deformity if any in Speech

Literacy.

Accomplishments.

Habits, Drinks, Drugs, Prostitutes, Gambling, Smoking, etc.

### FORM No. 2.29

R. P. M. 14:

M.O.B. No.

of 196.....

Form

To

Manager,  
Modus Operandi Bureau,  
C.I.D., Rajasthan, Jaipur.

The Officer Incharge,  
Finger Print Bureau,  
.....

Memo.

The following person has been given M. O. B. No .....  
This number may please be entered on the top of the original F. I. Slip with a remark 'Every subsequent arrest should be reported to the Manager M.O.B., Rajasthan, Jaipur and his F. P. Classification furnished to this Bureau :—

Name	F. P. B. Trace Memo No. & Date	Police Station

Manager,  
Modus Operandi Bureau,

## FORM No. 2.29

R.P.M. 15.

The Officer Incharge,

Photographic Section,

C I.D., Rajasthan, Jaipur.

Please take the photo of :—

Name ....

M. O. B. No. ....

Identification Marks ....

No. of copies ....

Manager,

M. O. B., Rajasthan,  
Jaipur.

Checked

Photo taken on ....

Manager, M. O. B.

Photographer.

## FORM No. 2.29

R.P.M. 16

## JAIL RELEASE REGISTER

(For District Level Only)

Sl. No.	Particulars (FIR No., Section of Law, date and PS) Law, of the case.	Name and complete Particulars of offence.	Particulars of Convictions.	History Sheet Classi- fication.	Date of Release from Jail.	Where prisoner is likely to go after release.	Re- marks
1	2	3	4	5	6	7	8

## FORM No. 2.29

R.P.M. 17

M. O. B. No. .... of — ....

## PHOTOGRAPH SHEET

Year of birth	....	....	....	Height	....	... feet	....
Inches.							

Profile

Full Face.

## FORM No. 2.29

R.P.M. 18.

## CASE INDEX CARD

1. Head.
2. Sub-Head.
3. Complete particulars of the case.
4. Brief facts showing method.
5. Particulars of the culprit/suspect including description, if known.
6. List of identifiable property stolen/recovered.

**NOTE**

1. Cards should be maintained in respect of **DETECTED** cases also.
2. An undetected case on being detected should be underlined in red ink

**FORM No. 2.29****R.P.M. 20.****TRANSPORT INDEX CARD**

- |                          |                                  |
|--------------------------|----------------------------------|
| 1. Transport.            | 2. Name.                         |
| 3. Aliases.              | 4. Parentage/Husband's name      |
| 5. Complete Particulars. | 6. History Sheet Classification. |

**FORM No. 2 29****R.P.M. 19.****M. O. B. REGISTER**

S. No.	History Sheet Classification	Particulars of the offender (Name, parentage/Husband's name, Village, P S. and Distt.	Particulars (F.I R. No. Section of law dated and P.S. of the case).	Facts of the case.	M. O. adopted (Detailed)	Remarks
1	2	3	4	5	6	7

**APPENDIX No. 2.29**

**Instructions Concerning the Examination of Scenes of Thefts and Burglaries and Particulars Required to be submitted in the Cases of all such Offences to the Central Investigating Agency.**

The scenes of all offences under Chapter 17, Indian Penal Code, shall be most carefully examined, as soon as possible, by the investigating officer who, in cases of theft (except cattle theft) and burglary, shall attach a separate site inspection report with the first case diary irrespective of the fact whether the accused are known, unknown arrested or at large. This site inspection report on arrival at head-quarters shall be passed on without delay to the District Investigating Agency.

In the case of offences against property, other than theft and burglary, no site inspection report need be prepared unless the scene of the offence presents such peculiarities as make such a report desirable or unless a report is called for by the officer in charge of the District Investigating Agency.

The object of a site inspection report is (a) to enable other officers who have not been to the spot to visualise the scene (b) to permit of an intelligent study of the ways and methods of the particular criminal by the District investigating Agency (c) to enable the Central Investigating Agency from their records of individual criminals to suggest identity of the accused responsible for the particular case under investigation. Obviously, there-

fore, every site inspection report must be intelligently and carefully compiled after a deliberate study of the scene. A list of points that should find mention in site inspection reports is given below, but the list is by no means exhaustive and is intended merely as a guide.

#### A—Burglaries of All Kinds.

1. Number of the First Information Report; date section of the offence; police station and district.
2. Time and date of (a) occurrence, (b) report to the police.
3. Special circumstances, if any, concerning the time and date of occurrence (e. g. fair, festival or evening meals, etc., etc.)
4. Place of occurrence, with distance and direction from (a) police station, (b) railway station and (c) main road.
5. Nature of locality (i.e. dwelling house, office, mosque, shop, etc. etc.) and its relation to the rest of the village or town.
6. Name, address, profession and status of the complainant.
7. Class of property attached.
8. Class of property removed.
9. Number of rooms entered by the accused and whether or not they were occupied at the time.
10. Whether or not property was removed from the particular room to which the accused first gained admittance.
11. Any clue left to indicate whether the accused worked in the dark or or by means of light.
12. Particulars of any belongings of the accused left by him on the spot.
13. Any boxes, safes, almirahs, etc., etc., containing articles of value overlooked by the accused and not touched by him and if so their locality.
14. Precautions, if any, adopted by the accused during the commission of the offence to guard against surprise (such as chaining of door, etc.).
15. When property removed was last seen at the place from which it was stolen.
16. Finger-prints.—Description of traces of finger prints found, their exact position and steps taken for their preservation, development, photograph, transfer, identification, etc.
17. Foot-prints.—(1) Number of foot-prints found, (a) leading to the spot (b) on the spot, (c) leading from the spot and deduction therefrom as to the number of culprits involved (2) Direction from which the accused came and direction in which they went. (3) Distance to which tracks leading (a) to and (b) from the scene were followed. (4) Measurement (in inches) of individual foot-prints. (5) Precautions, if any adopted by the accused to conceal their foot-prints,



- (6) Whether moulds, etc., taken or not, in latter case, reason for failure to do so.
- 18. Opinion as to whether accused were expert or amateurs and class of society to which they belonged and reason in support thereof.
- 19. Means of transport, if any, employed by the accused for the removal of property.
- 20. Any other clues or matters of importance requiring mention.

#### IF ADMITTANCE TO THE HOUSE OBTAINED BY MEANS OF A HOLE IN THE WALL,

- 21. Condition of the wall (kāchhā, pācca, burnt bricks, stone etc.)
- 22. The exact situation of the hole and its relative position with regard to doors, windows, ventilators, etc.
- 23. Shape of the hole (illustrate by diagram).
- 24. Height of the base of the hole from the ground (a) outside and (b) inside.
- 25. Exact measurements (in inches and not in angles or other such unauthorised measurements) of the hole (a) outside and (b) inside.
- 26. Thickness of the wall where hole made.
- 27. Side to which excavated earth was thrown.
- 28. Details of marks left by instrument used and inference drawn therefrom as to the nature of the instrument.
- 29. Whether room in which the hole was made was occupied or not at the time.

#### IF ADMITTANCE WAS OBTAINED BY LOCK BREAKING OR LOCK OPENING

- 30. Type of lock broken.
- 31. If opened by key an indication as to whether key used was (a) the original one and if so how accused obtained possession of it, (b) duplicate, (c) skeleton or false.
- 32. If lock forced (a) give particulars of marks on it and inference drawn therefrom as to the instrument used and (b) state if lock is still in working order.
- 33. If lock in tact and hasp or chain wrenched out, state the type of instrument that appears to have been used.

#### IF ADMITTANCE OBTAINED BY MEANS OF A HOLE IN ROOF,

- 34. The construction of the roof (whether kachha, pacca, thatched, etc. etc.)
- 35. Any indication as to how the accused ascended the roof.
- 36. Position of the hole (whether adjoining beam, in one corner etc. etc.).
- 37. Whether room beneath was occupied or not.
- 38. Whether property was removed from the room in which hole was made.
- 39. Means employed by the accused to descend into the room below.

40. How earth removed was disposed of and precautions adopted by the accused to prevent earth from falling into the room below.
41. Any other matters of importance requiring special mention.

**IF ADMITTANCE OBTAINED BY ANY WAY OTHER THAN  
THOSE MENTIONED ABOVE**

42. How admittance was gained.
43. If admittance gained by closed windows or ventilators, give particulars to indicate how bars were forced or glasses broken and means adopted by accused for preventing noise.
44. If culprit scaled the wall (a) state means employed (i. e., rope, leather, bamboo, water pipe, etc.) (b) give particulars of marks, if any, left on the wall.
45. If admittance gained through a drain give dimensions and position with respect to the rest of the house.
46. If admittance gained through chimney give similar particulars.
47. In case of admittance obtained by deceitful means threat, force etc., give details of story told by suspect.

**IN THE CASE OF DAY-LIGHT BURGLARIES**

48. State Whereabouts of the owner at the time of the commission of offence.
49. Precautions, if any, taken by the accused or his associates to divert the attention of neighbours away from the house attacked.

**B.1. Thefts of all kinds**

The same particulars as for burglaries, where applicable together with a brief report of the fact

**IN CASE OF PICK-POCKETING.**

1. Means employed by culprit (i. e. razor, blade, knife etc.)
2. The position of the picked pocket (waist-coat, inner pocket of coat, etc. and its contents.)
3. Position of other pockets and contents which were not touched.
4. Reasons, if any for believing that the accused had associates.
5. Means adopted to distract the attention of the victim.

**FORM NO. 2.6 (iv)**

**POLICE STATION..... DISTRICT**  
**COMPARATIVE STATEMENT OF REPORTED CRIME DURING THE**  
**MONTH OF AND FROM THE 1ST JANUARY 19...TO THE END**

**OF ... 19**

**(To be attached to Superintendent's first weekly diary in each month.)**

S. No.	District or Police Station	Period 'A' or 'B'	Murders			Dacoities			Burglaries		
			19	19	19	19	19	19	19	19	19
1	2	3	4	5	6	7	8	9			

All reported crime Exclusive of security cases.		Number of persons on security under section 110, C.P.C.	Number of cases pending in court for every one month exclusive of security cases.	Percentage column 14 bears to total Police cases reported during past month
19	19			
Flus or minus				
10	11	12	13	14
				15

A.—The figures for the past month.

B.—The figures for the year up to date, to be written in red ink.

Dated the..... Superintendent or Deputy Inspector-General

FORM No. 2.15 (2)

POLICE STATION ..... DISTRICT

Report of a fair held at ..... District

- (1) Local name of Fair or assembly.....
- (2) Object of fair or assembly .....
- (3) Average daily attendance .....
- (4) Number of days the fair lasts.....
- (5) Noteworthy particulars:—

(6) Remarks by District Magistrate and Deputy Inspector General to follow:

Dated the 19 ..... Countersigned  
Superintendent

Magistrate of the District

FORM NO. 2.17 (4)

Police Station ..... District

License No.....

Free of all fee WHEREAS..... have applied for a license under section 30 of Police Act (Act V of 1861), the following license is granted.

License for..... on the occasion of ..... at .....  
on ..... under section 30 of Police Act (Act V of 1861)

Names&description of the sees.	Period for which the license is valid.	Place or area for which the license is granted.	Place and time of commencement	Place and time of conclusion
1	2	3	4	5

Route to be followed(to be given in detail).	Places and periods of halts, if any.	Kind of music allowed and the places (if any), where it would not be played.	Officer-in-charge of the procession.	Remarks.
6	7	8	9	10

In the remarks column shall be entered all particulars which it is  
ary to prescribe, but for which a special column is not provided, e.g.,  
of Tazias in Moharram processions.

1. The license is granted subject to all the provisions of the Police Act (No. V of 1861) and subject to strict observance of all terms and conditions of the license.

(a) the speed of the procession;

(b) any changes of route decided on by the Magistrate or the Officer-in-charge of the procession; and

(c) any orders deemed necessary such as stopping of music, speeches or songs, etc., at specified places: 9

3. The licence shall be promptly shown or surrendered on demand by the Magistrate or Police Officer of and above the rank of Officer-in-charge of the Police Station.

4. It shall be subject to cancellation by the Officer who granted it.

5. The licences severally and individually shall be present throughout and shall be responsible for rendering all assistance in their power to the Police in maintaining order at the place of the meeting or on the route of the procession and for compliance by the members of the meeting or procession with all the conditions of the license or any orders issued in accordance with these conditions. This responsibility rests upon the licensees whether they happen to be present or not at any particular time or place during the Course of the procession.

6. Special conditions (if any).

### Certificate of receipt from licensees.

~~I/We the undersigned have received this license and undertake to abide~~  
by the conditions therein inserted.

**Signature.**

FORM No. 3. 0

Police Station.... ..District -

No. 1

Received from....      ....      ....      Received from....      ....      ....

The sum of Rupees....      ....      ....      The sum of rupees ...      ....      ....

on account of....      ....      ....      on account of....      ....      ....      ....

Dated \_\_\_\_\_ Superintendent of \_\_\_\_\_

The \_\_\_\_\_ 19\_\_\_\_ Police.

Chap. 130 2 7

R. P. Form No. 3.30

## Charges For Maintenance of Animals.

Police Station ..... District: .....  
 F. I. R. No. .... Date: .....

Number of animals	*Kind of animals	Rate per day	Number of days	Total	Remarks
1	2	3	4	5	6

## Grand Total

The above charges are due to ..... complainant/surety.

- |                   |                    |
|-------------------|--------------------|
| *1. Buffalo.      | 2. Bullock or cow. |
| 3. Horse.         | 4. Pony.           |
| 5. Camel.         | 6. Donkey.         |
| 7. Sheep or goat. |                    |

Chap.

R. P. FORM No. 3.38(1)

Register No. 2 The Station Daily Diary  
 Police Station.... District .....

The following officer were present at morning roll-call....

Sub-Inspectors....	Assistant
Sub-Inspectors....	head constables....
constables....	mounted head constables....
mounted constables,	The remaining staff were
on duty....	sick, The station is....
....	under sanctioned strength. Remark....
over	

Diary of the above station commencing at.....

.... o'clock on the	....and ending ...
.... o'clock on the....	

Serial No.	Name of reporter	Substance of report
1	2	3

Signature of Officer Incharge of  
 police station.

## R. P. FORM No. 3.44 (a) Part I

Police Station..... District  
Register No. 4

Part.—I Absconders In Cases Registered in the  
Home Police Station

(Residents of the home police station to be written in red ink)

Serial No.	Name, parentage, caste and description of absconders	Residence, i.e., village, police station and district	Offence, F.I.R. No. and date, places and date of offence	Reward offered	Clues to probable whereabouts.
1	2	3	4	5	6

Action taken to procure arrest, details to be given as to:—

Signature of gazetted officer.

Date of arrest, death cancellation or removal from proclaimed offender's list.

- Police Station of the home district to which notices sent.
- Police Station of other district to which notices sent.
- Date on which notices sent for publication in "C.I. Gazette".
- If a P.R. convict, date of intimation to F.P. Bureau.
- Action taken under sections 512/87/88, Code of Criminal Procedure with dates.
- Details of any other action taken, with dates and name of court.
- Has History Sheet been opened in home district and name entered in Register No. XI.

## R. P. Form No. 3.44(b) Part II

Police Station.....

.....District.

Register No. 4—Part II.—Absconders in cases registered in other police stations, but residents of, or likely to visit, this police station.

(Residents of home police station to be written in red ink)

Serial No.	Police station or district submitting notice Name of absconder	Parentage, caste and description	Residence, i.e., village, police station and district	Offence, F.I.R. No. and date, place and date of offence	Reward offered.
1	2	3	4	5	6

Clues to probable whereabouts.

Action taken to procure arrest, details to be given as to:—

(a) Action taken under sections 512, 87/88, Code of Criminal Procedure with date.

(b) Details of any other action taken with dates and name of Court.

Signature of gazetted officer.

Date of arrest, death, cancellation or removal to proclaimed offender's list

7

8

9

10

Note:—This register is to be printed in foolscap folio size ruled paper.

## R. P. FORM No. 3.45

## Register No. 5.—Register of Correspondence

Station .....

.....District.

No.	Date of order, etc.	By whom issued	Substance of order or letter received	No.	Date of report	Substance of report or letter despatched.
1	2	3	4	5	6	7

# Rajasthan Police Rules

R. P. FORM. No. 2.46(1).

Police Station.....

District.....

Character Rolls of Government Servants or  
Applicants P. S. Registration No. 6 For  
Government Employee Verified  
By the Police

Annual Serial No.	Date of receipt of roll	From whom received	Where employed or service for which applying i.e. Railway, po- lice, military etc.	Name and paren- tage of applicant
1	2	3	4	5

Village of which resident	How, when and by whom cha- racter tested and results of enquiries	Date of return of roll	Remarks
6	7	8	9

Chap.

R. P. FORM No. 3.47 (1) PART I

Register No. 7.—PART I

Village Crime Note-Book of Village....      ....  
Police Station ...      .... District ...      ....

## PART I

Population by census of Male  
Female

No. of houses ...      ....

Name of outlying hamlets with number of houses in each.

Revenue.

Market days, fairs and festivals.

Principal castes and tribes and population of each.

Head men	Other leading men	Village watchmen
1	2	3
Sarpanchas and panchas	Members of the villages Defence Parties	Remarks
4	5	6



## R. P. FORM No. 3.47 (1) Part II

## Village Crime Register Part II

Police Station..... District.....

Register No. 7

Serial No.	Place of occurrence	Section of Law	Particulars of informant	Particulars of the accused or suspect
Date of F.I.R.	1. Village 2. P. S. 3. District 4. State.			
1	2	3	4	5

Class of property	Places where Stolen property recovered	Criminals where arrested	Particulars of helpers of accused/suspects. Helpers	Receivers	Harbourers	Those who furnished bail
Stolen Recovered						
6	7	8	9	10		

H.Q. Modus Operandi	Result of case against each accused	Remarks
11	12	13

## R. P. FORM No. 3.47 (1) Part III

Police Station .....

District.....

Register No. 7

## PART III

Cases traced to the village

S. No.	Police Station village and district.	Section of Law, nature of offence and class of property attached	Name parentage & caste of accused	Name, parentage, caste and address of all criminals implicated in the case, whether convicted, acquitted or suspected of committing the offence, and of harbourers, receivers of other helpers of the accused.	Results of the case against each man mentioned in column 5.
1	2	3	4	5	6

## R. P. FORM No. 3.47 (1) PART IV

Police Station.... ..

District..... ..

REGISTER No. 7

PART III-A Visits to the Village

S. No.	Name, parentage, caste & relationship, if any of person visited.	Name parentage, caste & address of visitor.	Brief reasons for suspecting visitor.	Objects & dates of visits.	Number & date of bad character roll received or information sheet despatched.	Remarks
1	2	3	4	5	6	7

Note :—This form shall be maintained:—

(1) for the visit to village (b) history sheeters in bundle (a) and (b) persons established through information sheets (Strangers roll) to be of doubtful character; and

(2) for persons arrested in villages under Sections 55/109, Criminal Proc dure Code, provided that they are placed on security.

In the case of persons, in clause (2) the names, their sureties and the reason for standing surety should be entered in the "Remarks" column.

Chap.

## R. P. FORM No. 3.47 (1) PART V

REGISTER No. 7 PART V

Police Station.... ..

District .....

Notes on crime in the village with special reference to factions, land or water disputes, presence of criminal tribes or gangs, occurrence of obstructions on or damage to railway line within the village, special outbreaks of crime in the village, etc, in accordance with rule .....

## R. P. FORM No. 3.47 (1) PART VI

Police Station .....

REGISTER No. 7

District .....

Name of Town or Village

PART V Names of residents who have been convicted of certain offence

S. No.	Name of convicted persons and age on date stated in column 5.	Parentage, caste and occupation with description, particular marks and P.R. No., If any.	Section and Act under which convicted and nature of the offence	Name of Court, district, Sentence and date of conviction.
1	2	3	4	5

Date of release	Whether entered in Book X (Surveillance Register) with No. of History Sheeter, if any.	Signature of Police officer making the entry and date of making it.	Place of crime if committed outside the village.	Remarks. (Names, parentage, caste and address of convicts and co-suspects, places where arrested & property recovered and residences of persons who stood bail).
6	7	8	9	10

## R. P. FORM No 354 PART I

## POLICE STATION REGISTER No. 15 PART I

Police Station .....

District.....

## List of Village Watchmen

Serial No. of village according to the Register No. 7	Name of village	Distance and direction from Police Station	No. of watchmen sanctioned	Name, parentage and caste of watchman
1	2	3	4	5

Residence	Date of appointment	Age when appointed	Rate of Pay
6	7	8	9

Population of village	Number of houses	Day of week fixed for attendance at Police Station (vide Rule 3.54 Police Rule)	Remarks
10	11	12	13

## R. P. FORM No. 3.54 PART II

## POLICE STATION REGISTER No. 16 PART II

Police Station.....

District.....

List of Police Officers attached to the Police Station  
(Officers head-constables and constables to be shown on separate pages)

Serial No.	Constabulary No.	Name	Residence, Village District Police Station	Date of enlistment	Date of Posting to the Police Station
1	2	3	4	5	6

Dates of being sent to head-  
quarters for training

Literate or illiterate	For the 1st time For the 2nd time For the 3rd time	Date of transfer	Where trans- ferred to	Reason of transfer	Remarks
7	8	9	10	11	12

## FORM No. 3.54 PART (III)

## REGISTER No. 16 PART III

Police Station.....

District.....

Miscellaneous Store Register of the ..... of.....District

Date	Nature of transactions	Description of Stores				Remarks
		a	b	c	d etc.	
1	2	3				4
	Opening balance					
	By purchase					
	Balance					
	By purchase					
	Balance					
	Unserviceable and sold					Sale price credited on
	Balance					
31-3-19	Balance					Verified

(To be ruled on ordinary folio size paper)

## R. P. FORM No. 3.59 (1) Part J

Police Station.....

.....District

Register No 17-Part I(1)-Register of Licences to manufacture, convert,  
sell or keep for sale Arms, Ammunition or Military Stores.

Tehsil	Number	Name of licensee	Father's name, caste and residence	Place of business	Date
1	2	3	4	5	6

Inspection By

Assistant or Dy. Superintendent or Inspector of Police				By Magistrate of District, or Superintendent of Police.	Remarks
1st.	2nd.	3rd.	4th.		
7				8	9

## R. P. FORM No. 3.55 Part I (2)

Register No. 17-Part I(2)-Register of Licences to keep and sale, convert, sell or keep for sale Arms, Ammunition or Military Stores.

Police Station.....					..... District	
Tehsil	Number	Name of Licensee	Father's name caste and residence	Place of business	Date	
1	2	3	4	5	6	
Inspection By						
Assistant or Dy. Superintendent or Inspector of Police				By Magistrate of District or Superintendent of Police		Remarks
1st.	2nd.	3rd.	4th			
7				8		9

## R. P. FORM No. 3.55 Part I (3)

Register No. 17-Part I [3]-Register of Licences to possess Arms, Ammunition or Military Stores

Police Station....					..... District	
Tehsil	Number	Date	Name of licence holder	Father's name, caste, etc.	Residence	
1	2	3	4	5	6	
Number & description of weapons		Place where arms are to be kept.		Terms for which licens is valid		Remarks
7		8		9		10

## R. P. FORM No. 2.55 Part I [4]

Chap.

Register No. 17-Part I (4)-Register of Licenses to possess Arms and Ammunition, and to go armed for the purposes of Sport, Protection or Dispay.

(A separate part of Register to be reserved for each description of weapons, i.e. Short Gun, Rifles, Revolvers, Swords, etc.) The register to be permanent.

Police Station .....

.....District

Serial No.	Tehsil	Number and description of weapon	Name of license-holder.	Father's name, caste etc.	Residence
1	2	3	4	5	6

No. and date of license.	Period for which license is available	Date of renewal of license.	Remarks Action taken when license expires, loss of weapon licensed, sale, etc. etc.
7	8	9	10

**R. P. FORM No. 3.55 Part I [5]****Register No 17 Part I [5]**

Register of Licenses granted to possess arms and ammunition and to go armed for the purpose of destroying wild animals which do injury to Human beings, Cattle or Crops in ... District.

Police Station						District	
1	2	3	4	5	6	7	
Tehsil	Form & No.	Date	Name of license-holder.	Fathers' name and caste.	Residence	Place for which license is valid.	

8	9	10	11
Weapon	Date of expiry of license	Inspection By Magistrate of Weapon and License.	Remarks
		1st year. 2nd year. 3rd year. 4th year. 5th year.	

**R.P. FORM No 3.55 PART II**

Police Station ..... District.....

**REGISTER No 17 PART II**

Register of licenses granted under Excise and Opium Acts for vend in the Police Station.

1	2	3	4	5	6
Serial No.	No. of license	Name and address of license-holder	Locality of shop	Articles which the licensee is authorised to stock and sell	whether licensed to sell whole-sale or by retail

7	8	9
Amount of license fee for the year.	Period within which License is valid	Remarks
	From To	

## Police Station

District .....

Register No. 17 Part III

Register of licenses to manufacture, possess and sell explosive in the District/Police Station.

[illegible]

Register No. 17 Part IV

**Police Station .....**

District..... --

gister of licenses to possess petroleum under the Petroleum Act.

[illegible]

**R.P. FORM No. 3.55 PART V****Register No. 17 Part V**

Police Department.....

District .. .. .

**Register of licenses under the poisons, Act.**

1	2	3	4	5	6	7
No. of license.	Name and address of licensee.	Place of business.	Description of poison to be possessed.	Period for which license is valid.	Inspection	Remarks
				From To	Date By whom	

**R. P. FORM No. 3.56**

Police Station.....

District.....

**Police Register No. XVIII**

**Receipts for arms, ammunition or military stores deposited in the  
above Police Station under the Indian Arms Act XI of 1878**

Serial No .. .. .

Date.....

Nature of Arms, ammunition or  
military stores and condition in  
which received.

Name, father's name and address  
of depositor.

I certify that I have received the above-mentioned articles and have deposited them in the station store room after labelling them. The articles will be forwarded to head-quarters if the owner has not obtained a license to possess them within seven days from date.

Signature.....

Station Clerk.

**R. P. FORM N. 3.57****Register No. 19 Store Room Register**

Police Station.....

District.....

1. Column No. 1 Serial No.
  2. No. of first information report (if any), from whom (if taken from a person) and from what place.
  3. Date of deposit and name of depositor.
  4. Description of property.
  5. Reference to report asking for order regarding disposal of property.
  6. How disposed of and date.
  7. Signature of recipient (including person by whom despatched).
  8. Remarks.
- (To be prepared on a quarter sheet of native paper).



## R. P. FORM No. 3.66 (1) (a)

Police Station .....

District.....

## Descriptive Rolls of unidentified persons found dead

1	2	3	4	5
Annual serial No.	District	Name, parentage and residence of informant.	Date on which found	Place where found
				Village Police Station

6	7	8	9
Description	Details of property found.	Circumstances under which found and particulars likely to afford a clue to the identity of the deceased.	Remarks
Sex Appa- rent age	Height Comple- xion. Parti- cular marks		

Date.... ..

The.....

(Standard Form)

Superintendent of Police

## R.P. FORM No. 3.66 (1)(b)

Police Station .....

District .....

## List of Persons Lost or Missing

1	2	3	4	5	6	7
Annual Serial No.	District	Name of informant and his relation to the person missing.	Name of police station & village of person missing.	Peren- tage	Caste	Residence
					Village.	Railway Station. District.

8	9	10	11	12	13
Date of disappearance.	Place from which missing.	Description.	Circumstan- ces of dis- appearance.	Details of property which the missing person took with him or which was worn by him when last seen.	Remarks

Date.... ..

The .....

Superintendent of Police

## R. P. FORM No. 3.66 (1) (c)

Police Station.....

District.....

## List of Unclaimed Property/Cattle

1	2	3	4
Annual Serial No.	District.	Name, parentage and residence of person from whom recovered or by whom deposited	Place of Recovery Village. Police Station.
5	6	7	8
Date of recovery.	Circumstances under which recovery and particulars likely to afford clue to the owner.	List of article/Cattle with full description and value	Remarks

Dated.... ..

The .....

Superintendent of Police

## R.P. FORM No. 3.66 (1) (d)

Police Station.....

District.....

List of Property Lost or Stolen  
Cattle Strayed

1	2	3	4	5
Annual Serial No.	District	Name of police Station and No. and date of first information report, if any, with description	Date of loss or theft	Name, parentage and residence of complainant/owner
6	7	8	9	
Description and value of property lost/cattle strayed or stolen	Brief particulars of the case and circumstances likely in any way to afford a clue of the property/cattle or the theft	Reward offered	Remarks	

(Standard Form)

Dated.....

The.....

Superintendent of Police

FORM No. 3 58 (a)

District.....

Police Station .....

Police Station Register No. XX Part (I)

Cash Account of Monies such as Pay, Allowances and Miscellaneous, Transactions, etc. of

Police Station

[ See Rule 3.55.... ]

1	2	3	4	5	6	7	8	9	
Annual/Serial No.	Date	Name of receipt or expenditure.	Receipt	Expenditure.	Balance.	Reference to previous subsequent, or final numbers in this register, regarding the same transaction.	REFERENCE TO		DETAIL OF BALANCE TO BE GIVEN DAILY
							(a)	(b) (c)	
							Receipt book No. (Rule 3.60.....)	Road Certificate No. (Rule 3.59.....)	No. of entry in station diary in which details are given.
							Reference to the serial No. of this Register on which the amount composing Balance was originally entered.		Description of money

(For the month of  
June, 1926)215 Reward due to Dharam  
Singh, of village

Rs. Rs.

219 1-6-26 Balance from s ast 25 .... 25  
month

220	4-6-26	Pay for May 1926	405	430	221 224 225	50	215	(1) Reward due to Dharam Singh,	53
221	4-6-26	To pay of Sub-Inspector, H.Cs. and F.C.	....	78	220	....	220	(2) Pay of F. Cs.	53
									Total
222	5-6-26	Pay of menials for May, 1926	44	....	122	51	215	(1) Reward due to Dharam Singh.	25
223	5-6-26	Travelling Allowances of Establishment (Bill No. 15)	220	....	322	....	222	(2) Pay of menials	44
							223	(3) Travelling Allowance of Establishment	20
									Total
224	5-6-26	To S. I. Shahabad Pay of F.C. No. 25, Nanda transferred to that P.S.	....	17	305	....	70	....	89
225	5-6-26	To pay of Foot Constables	....	36	269	....	....	....	....
226	5-6-26	Disbursed Travelling Allowance of Establishment	....	180	89	....	....	....	....

1	2	3	4	5	6	7	8	9
			Rs.	Rs.	Rs.			Rs.
227	10-6-26	Disbursed pay of menials, for May, 1926	....	44	45	222	....	....
228	10-6-26	To Dharam Singh, Zalidar	....	25	20	215	....	Travelling Allowance of Establishment 20
229	25-6-26	Estate of deceased F.C. No. 35, Ab- dulla of Ambala District, due to his widow, of village	50	....	70	....	53	(1) Travelling Allow- ance of Establish- ment. 20
								(2) Estate 50
		Total for June, 1926	724	654	70	....	....	Total 70

Notes.—(1) A line shall be drawn after each entry.

(2) The serial No. in which the final transaction is completed should be entered in red ink opposite to the Serial No. in which the receipt of the amount was originally recorded. This red ink number will show that the amount in question has been finally adjusted.

(3) When an item is pending final adjustment, the red ink number will not be given.

District.....

Police Station ...

Police Station Register No. XX, Part (2)

Permanent Advance Rs 20

## Cash Account of Permanent Advance of Police Station

Annual Serial No.	1	2	3	4	5	6	7	Reference			9	10	Remarks.
								(a)	(b)	(c)			
		Date	Nature of receipt or expenditure.	Receipt.	Expenditure.	Balance.	Reference to previous subquent or final numbers in this Register regarding the same transaction. In the case of final disposal, entry to be made in red ink.	Receipt Book No. (Rule 3.60.... )	Road certificate No. (Rule 3.59 .....	No. of entry in station diary in which details are given.	Reference to the entry in the corresponding Register (No. 20 ....) relating to the application made for recompment.		

For the month of  
June, 1926

180	1-6-26	Balance	15	....	15	....	....
-----	--------	---------	----	------	----	------	------

181	5-6-26	By departmental expenses-bill dated 20th May, 1926	2	...	17	150	...	18
182	9-6-26	Judicial expenses in case first Information Report No. 27, dated 24th May, 1926	...	5	12	184	...	No. 6, dated 9th June, 1926
183	15-6-26	Repairs to beds and boxes	3	9	185	...	...	No. 17 dated 15th June, 1926.
184	20-6-26	By judicial expenses bill, dated 9th June, 1926	5	...	14	182	...	15
185	25-6-26	By departmental expenses bill, dated 15th June, 1926	...	...	17	183	...	17
186	28-6-26	Judicial expenses in case First Information Report No. 32 dated 15th June, 1926	...	7	10	...	...	No. 22, dated 28th June, 1926.

170 20-6-26  
186 28-6-26  
187 29-6-26

(2) When an item is pending final adjustment, the red ink number will not be given.

Police Station No.....

District.....  
Police Station .....  
Lines Office .....

Signature of the official  
remitting the money or property, etc.



Chap. IV

FORM No. 44. (1)

District.....

Police Station....

Surveillance Register No. VIII.

Sl. No.	Name	Parentage & caste.	Name and serial No. of village	Number of History Sheet in a bundle	Date of entry	Brief reasons for entry and signature of officer	Date	Name Struck Off	Brief reasons for striking off, with signature of officer.
1	2	3	4	5	6	7	8	9	

(To be drawn by hand on both sides of a foolscap-size register. columns 1 to 6 being on the right hand page and columns 7 to 9 on the left hand. The heading to be in big type.)

FORM No. 4.9

Chap. IV

Police Station.....

District .....

History Sheet -

Name ... .. alias.... ..son of .. ..  
 .... caste .... ..resident of .... .. age ....  
 Number of F. P. Slip (if prepared)

Serial Index No. in Register	Date of entry	Description	Property end mode of earning livelihood
1	2	3	4
			Property (Houses, shops, land, etc.)
			Means of livelihood (Trade, shop keeping, labour, cultivation, etc.)

Name and addresses of relations and connections dependent on him.

Name and addresses of associates.

In case the name has not been entered in Surveillance Register No. VIII, column 1 will remain blank.

Description of the crime to which believed to be addicted.

CONVICTIONS

Sl. No.	Name and residence of the complainant.	Reference to F.I.R. and name of Police Stations.	Law or Section of Law.	Detail or the convictions, with the date of convictions and the names of courts deciding the case.
---------	--	--	------------------------	--

Signature of the officer.  
 preparing the sheet with date.

## PART I

## Written or oral suspicions

Sl. No.	Name and residence of the complainant	Law and section of the Law.	Reference to F.I.R. with date and name of the Police Station or F.I.R. of any other case.	Brief details of reasons leading to the suspicion or house e. g., track evidence, decision of panchayat, enmity with complainant, demand of illegal gratification or any other reason to be entered in full.
---------	---------------------------------------	-----------------------------	---	--

## PART II

## Particulars of Movements

Every entry should be attested and dated by the officer making it.

Sl. No.	Suspicious whether written or oral.	Information regarding the particulars of movements or general notes as given by the Station House Officer.	Remarks or orders by gazetted officers or other officers duly authorized.
---------	-------------------------------------	--	---

## FORM No. 4.14 (1) Part I

Police Station .....

District.....

## Index to history sheets and personal files Part I

1	2	3	4	5	6	7
Serial No. of History Sheet & Personal File.	Name and Father's name.	Village.	Date on which History Sheet was opened.	Whether History is in A or B bundle or Personal File.	Date on which History Sheet & Personal File were transferred to another Police Station or destroyed.	Initials of gazetted officer ordering transfer or destruction of History Sheet and remarks.

## FORM No. 4.14 (1) PART II

## Index to history sheets and personal files, Part II

1	2	3
Name and father's name.	Village.	Serial No. of History Sheet and Personal File.

## FORM No. 4.16 (1)

Police Station Book No.....

## Enquiry Roll

Report of absence or departure  
of a bad character under  
surveillance

Police Station ..... Distt.

S. No.	Points to be reported on	S. No.	Points reported on
1	2	3	4

1. Police Station
2. District
3. Serial Number of roll
4. Name, parentage, caste and descriptive marks of registered criminal.
5. Number of surveillance register and particulars of previous convictions.
6. Class of offence he commits with modus operandi.
7. Place to which he may have gone or is alleged to have gone and for what purpose, with information as to his relatives and associates in such places.
8. Whether the absence was reported by a village official or was ascertained by a Police Officer.
9. Date and hour at which he left the village with name and residence of associate, if any.
10. Date and hour of despatch of this roll and to whom (here enter office or Police Station).

## FORM No. 4.16 (1)

Police Station Book No.....

## Enquiry Roll

Report of absence or departure  
of a bad character under  
surveillance

Police Station .... Distt.

S. No.	Points to be reported on	S. No.	Points reported on
5	6	7	8

1. Police Station
2. District
3. Serial Number of roll
4. Name, parentage, caste and descriptive marks of registered criminal.
5. Number of surveillance register and particulars of previous convictions.
6. Class of offence he commits with modus operandi.
7. Place to which he may have gone or is alleged to have gone and for what purpose, with information as to his relatives and associates in such places.
8. Whether the absence was reported by a village official or was ascertained by a Police Officer.
9. Date and hour at which he left the village with name and residence of associate, if any.
10. Date and hour of despatch of this roll and to whom (here enter Office or Police Station).

Signature.... ..  
Designation ... ..  
Dated ... ..

Signature ... ..  
Designation.... ..  
Dated.... ..

**Acknowledgement of Receipt**

“This should be torn off and returned immediately on receipt of roll”.

Enquiry Roll ‘Form A’ number.....or  
Police Station. ....district.....  
was received by me at P. M./A.M. on the ... ..  
The persons named therein have not arrived in  
the limits of the Police Station. Inquiries are  
being made.

N. B.—If the registered criminal has arrived,  
strike out the word ‘not’.

Signature.... ..  
Designation .... ..  
Date.... ..

**FORM No. 4.16 (2)**

Police Station Register No. X-B Enquiry (Bad Character) Rolls Received.

No.	No. of bad character roll and date of receipt.	Police station from which received.	Name, parentage & residence of suspect.
1	2	3	4
	Details contained in roll received as to visit.	Date of return of roll with precise of reply.	Action taken if any, such as entry in history sheets or per- sonal files of confede- rates, etc.
	5	6	7

**FORM HV FORM No. 4.16 (4)**

Police Station.... ..District.

Enquiry (Bad Character) Roll for publication in Criminal Intelligence  
Gazette.

The bad character/Conditionally released convict whose description is  
given below has been absent from his home since ... ..He is under  
police surveillance and it is likely that he will commit crime during his  
absence:—

**I.—Description:—**

Name ... .. father's ... .., caste ... .. Village — ...  
... .., police station ... .. Date of birth ... .. Height.... ..  
... .. feet.... .. inches ... .. Build.... .. complexion.....  
Characteristics, mennerisms, special marks, etc .. ..

**II.—Convictions on record:—**

- |     |     |
|-----|-----|
| (1) | (2) |
| (3) | (4) |

**III.—Probable associates, relatives and resorts:—**

(Names of police stations and districts to be given in large type and underlined).

- |     |     |
|-----|-----|
| (1) | (2) |
| (3) | (4) |
| (5) | (6) |

**IV. Form of crime to which addicted with modus operandi....**

Superintendent of Police,  
.....District.

**FORM No. 4.17 (1)**

Police Station .. District.... State....

**INFORMATION SHEET**

No....

Dated....

Information sheet regarding....

alias.... parentage/husband's name

Caste.... resident of village/mohalla....

Police Station.... district.... age....

height.... particular marks....

Information communicated....

Information solicited....

Sub-Inspector,

Date.....

Incharge of Police Station.

**Note :—**Information Sheets are the main vehicles for communicating/receiving criminal intelligence to/from one police station to/by another. They may be used about residents of other police stations. (a) who are known or belived to have visited a village in Police Station's jurisdiction with criminal intent, whether they have been arrested or not, (b) vagrants arrested u/s 55 Cr. P.C. and (c) those who are genuinely believed to be of suspicious character. Constitution Information Sheets may be sent when-so-ever there are important developments in the case and at the conclusion of the case. These sheets should be issued in triplicate, one copy being sent to the District Crime Record Bureau and 2 copies forwarded to the officer-incharge of the Police Station addressed. The receiving police station may after making necessary enquiries, record the information requested for on the back of the two copies of Information Sheets and send one to the issuing police station.

FORM No. 4.17 (2)  
Police Station Register No. XII

Police Station.....

.....District

Information Sheets Despatched

Date of issue 1	Date of issue of Sheet. 2	Name of police station to which issued. 3	Name, parentage, caste and address of suspect. 4
Full description of suspect.	Details communi- cated in informa- tion sheet.	Date of return of sheet.	Action taken such as preparation of personal file or history sheet etc.
5	6	7	8

FORM No. 4.77  
Police Station Register No. XIII

Police Station.....

.....District

Information Sheet Received

1 Date of receipt	2 Date of sheet	3 Name of police station from which received.	4 Name of Paren- tage, caste and address of suspect.
5 Full description of suspect.	6 Details communi- cated in informa- tion sheet.	7 Date of return of sheet	8 Action taken such as preparation of personal file or history sheet etc.

FORM No. 4.18 (1)

Police Station .....

.....District

Hue and Cry Notice

The Station House Officer of.... Police Station gives notice that.....  
 ...., son of....., alias .... caste .....resident of village  
 ...., Police station....., District ...., whose description is given  
 below (and whose photograph is attached) is evading arrest in a case under  
 section .....is absent from his home and is likely to commit offences  
 of .....I. P. C., F. I. R. No.... of 193 of Police station ... ..  
 district .....

Action under sections 87/88 C.P.C., is being taken against this man  
 and any person giving information leading to his arrest will be rewarded.

Reward offered ... ..

Description:—

Name...., aged ....., year... build.....  
 height .....complexion.

Characteristics, Mannerisms, etc.....

District Serial No. of P.R. Slip if on record.

Probable associates and resorts—

He is reported likely to visit:—

- |         |         |
|---------|---------|
| 1. .... | 2. .... |
| 3. .... | 4. .... |
| 5. .... |         |

(Signature)

Station House Officer,

..... Police, Station.

### FORM No. 4.20(1) Part I

#### District Register of Absconders

Police Station.....District

Part-I Absconders in cases Registered in the Home District

(Residents of the home district to be written in red ink)

Serial No.	Name of absconder.	Parentage, caste and descriptive roll.	Residence, i.e., village, Police Station and district.	Offence.
1	2	3	4	5
F.I.R. No. and date, place and date of offence.	Reward offered.	Clues to probable whereabouts.	Date of arrest, death, cancellation or removal to proclaimed offender's list.	
6	7	8	9	

### FORM No. 4.20 (1) Part II

#### District Register of Absconders

Part-II Absconders in cases Registered in other Districts

but Resident of, or likely to visit, the home District.

(Residents of the home district to be written in red ink)

Police Station....District

Serial No.	Police station or district submitting notice.	Name of absconder.	Parentage, caste and descriptive roll.	Residence i.e., village, Police Station and District.
1	2	3	4	5
Offence.	E. I. R. No. and date, place and date of offence.	Reward offered.	Clues to probable whereabouts.	Date of arrest, death, cancellation or removal to offender's list.
6	7	8	9	10

## FORM No. 4 21

Register Showing Progress of all Action Against Absconders and  
Proclaimed Offenders.

Police Station.....

.....District

Serial No.	Name, parentage, caste and residence of the absconder.	F. I. R. No., offence and police station.	Date of absconding.	A-Date of application for warrant of arrest.
1	2	3	4	5
B-Date of return of warrant of arrest unexecuted.	Date of application for order of proclamation under section 87, Cr. P. C. with name of court.	Date of publication of proclamation under section 87., Cr. P.C. and steps ordered for giving effect to proclamation.	Date of issue of attachment order under section 88, Cr. PC.	
	6	7		8
Detail of attachable property of the absconder.	Action of police.	Property attached with date of order of court	Date of removal to, proclaimed offender's register.	Remarks.
9	10	11	12	13

## FORM NO. 4.22 (1)

Register of Proclaimed Offenders under Section 87,  
Criminal Procedure Code.

Police Station .....

..... District

Serial No.	Name, caste and parentage of offender.	Description.	Residence.	Station of offence.	F. I. R. No. and date.	Police Station and District	Detail of stolen property.	In the case of conditionally released who has been declared proclaimed offender:—	(1) Offence in which conditionally released.	(2) Village in which released;	(3) Jail from which conditionally released;	(4) Date of release;	(1) Place which the accused has visited;	(2) Or is expected to visit.	In his own district	(1) Names	(2) Relations.	(3) Residence.	In outside district:—	(1) Names.	(2) Relations.	(3) Residence.	Reward offered for arrest.	District Serial No. of P.R. slip.	Remarks.
1																									
2																									
3																									
4																									
5																									
6																									
7																									
8																									
9																									
10																									
11																									
12																									
13																									
14																									



## FORM No. 4.22 (2)

Police Station ..... District

Statement Showing the result of action taken against proclaimed offenders during the year/month of —19—.

S. No.

Details

1. Class of proclaimed offenders.
2. Number of proclaimed offenders residents of the district at the commencement of the year/month.
3. Number of persons proclaimed during the year/month.
4. Number of proclaimed offenders residents of the district arrested during the year/month.
5. Percentage item 4 bears to items 2 and 3
6. Number of proclaimed offenders residents of the district struck off under the provisions of rule 4.23.
7. Number of proclaimed offenders still at large at the end of the year/month. i. e., items 2,3,4,6, who were proclaimed:—
  - (a) Within 3 months of the close of the year/month.
  - (b) Between 3 to 6 months of the close of the year/month.
  - (c) Between 6 to 12 months of the close of the year/month.
  - (d) More than 12 months ago.
8. Rewards paid for the arrest of proclaimed offenders during preceding year/month.

Note:—Separate sheets will be prepared for proclaimed offenders who are habitual offenders and others.

## FORM No. 4.24 (2)

Counter foil No. . . . .

Foil No. . . . .

Police Station.....

Police Station.....

District....

District.....

Notice to watchmen with regard to.....

To the watchmen of village.....

.....

Be informed that the person named and described on the reverse is a proclaimed offender and it is

son of .....

your duty to arrest him wherever found. It is

caste.....

further your duty and that of every owner or

a resident of .....

occupier of land and of every person employed

and a proclaimed offender.

in the collection of revenue to report immediately

(Date and method of

may receive as to the presence of such person.

despatch, i.e., by post, by

You are required to publish this fact and to warn

hand etc.)

all concerned and take warning yourself that any

person assisting the proclaimed offender in any

way to evade arrest or withholding information

about him renders himself liable to severe penalty under the law.

By Order,  
Sub-Inspector,  
in-charge of Police Station .....  
Signature of Watchmen.  
Date.....

Description of proclaimed offender.

Name and particulars of relatives and others with whom the proclaimed offender is likely to associate,

### FORM No. 4.26

Police report with a view to the Initiation of Proceedings to take Security to be good behaviour, Sections 110 to 118 Criminal Procedure Code.

Page 1.— Name, parentage, caste, age, occupation and residence of the person reported on—

Table 1 Former convictions.

Column 1 Serial No.

2. Complainant's name.
3. No. and Date of First Information Report and name of Police Station.
4. Law and section of law.
5. Particulars of sentence, date of sentence, particulars of the court in which the conviction was obtained.

Table 2.—Reference to cases in which the person reported about has been suspected or in which his house has been searched.

Column 1. Serial No.

2. Name and residence of complainant.
3. Law and section of Law.
4. Reference to the first information report, its date, the station to which belonging, or to other first report in the case.
5. Brief particulars of the reason for which suspicion was entertained or house was searched, & etc.

Table 3.—Name of persons of bad character with whom the person reported associates.

Pages 2 & 3.—Name of witnesses who give evidence of the reputed bad character. An abstract of their statements.

Page. 4.—Report of the officer in-charge of the police station.

(The report to include any material information given in the History Sheet prescribed in Rule 4.9).

## FORM No. 4.29

Descriptive Roll of Convict.....Released From

the.....Jail on the

Police Station .....

..... District

## Personal Description

Jail Register No.	Name, sex, age and Previous occupation.	Religion.	Caste.	Father's name and trade or occupation.	Village, Police Station, Tehsil, District.	Crime, section of law with term and date of sentence.	(a) Features, complexion and distinguishing marks.	Height.		Conduct in Jail.	Remarks.
1	2	3	4	5	6	7	8	Ft.	Inches.	9	10

## FORM No. 4.35 (2)

Report of Change of Residence of Convict Subject to Surveillance

Under Section 565, Code of Criminal Procedure.

Police Station .....

.....District

Name and father's name	Caste	Residence	Change or Temporary Change of residence.
		Village, Police Station, Tehsil, District, or Town, Street, Mohalla, Police Station District.	Village, Police Station, Tehsil, District or Town, Street, Mohalla, Police Station District.
1	2	3	4

To be Entered by officer in-charge of Police Station.

Remarks

Date of departure.

Date of departure.

Date of arrival.

Change in residence, permanent or temporary.

5

6

7

8

## FORM No. 4.33 (1)

Report of arrival at his home of A. P. R. or P. R. T.

Convict on Release From Jail.

Police Station.... District.

District Serial No. of P. R. Slip.	Name with aliases.	Father's name and caste.	Residence. Village Police Station.
1	2	3	4
Offence.	Date of release and name of Jail.	Report of officer in- charge of police sta- tion of convict's arrival at his home or otherwise (to be submitted within 10 days of date of release).	Final order of Superin- tendent.
5	6	7	8

Dated the.... 19 ..

Signature of F. P. Recorder

## FORM No. 5.5 (1) (C)

Police Station.... District....

## First information report by a complainant

Name, parentage and residence of complainant or informant.

Date and time of writing the slip and delivery to Chaukidar.

Date and time of receipt at Police Station.

Substance of complaint or information which shall be attested by the signature, seal or thumb-impression of complainant or informant, and signature or seal of lambardar as witness.

(Check receipt to be sent to the complainant.)

Received a written complaint from.... of village....  
dated.... First Information Report No.... under

section.... I.P.C. has been registered this day.

Name of Police Station.... Signature of

Date .... officer-in-charge.

If a First Information Report has not been registered then these words should be struck out and a brief note given below of the action taken.

## FORM No. 55 (1)

## First Information Report

First information of a Cognizable crime Reported under Section 154,  
Code of Criminal Procedure.

Police Station..... District .....

Date and hour of occurrence.....

No .....

1. Date and hour when reported.

2. Name and residence of informant and complainant.

3. Brief description of offence (with section) and of property carried off, if any.
4. Place of occurrence and distance and direction from police station.
5. Steps taken regarding investigation; explanation of delay in recording information,
6. Date and hour of despatch from Police Station.

Signed .....

Designation .....

(First information to be recorded below)

Note:—The signature, seal or mark of the informant shall be affixed at the foot of the information and shall be attested by the signature of the officer recording the "first information".

( Reverse of police Station Copy of first Information Report )

( Not to be printed on reverse of other copies )

## INDEX OF CASE DIARIES

( To be filled in immediately on receipt of case diaries )

S. No.	Date of case diary.	Name of investigation officer.	S. No.	Date of case diary.
1	2	3	4	5
Name of investigating officer.	S. No.	Date of case diary.	Name of investigating officer.	
6	7	8	9	

Information to be filled in when the charge sheet or final report is submitted,

Date and hour of submission of charge sheet or Final Report and Section under which accused are sent for trial.	Name of witnesses.	Name and residence of accused-A-Sent in custody for trial B-On bail or recognizance C-Not sent for trial.	Property (including weapons found).
1	2	3	4

Information to be filled in as soon as received.

Date of receipt of challan in court.	offence according to which convicted or acquitted.	Result of the case. (In case of conviction or acquittal, the name of the court, date and detail of the order).
1	2	3

## FORM No 5.7

## Register of Petty Offences

Under Section 154, Cr. P. Code intimation under section 157, Cr. P. Code diary under Section 172, Cr. P. Code and final report under section 173, Cr. P. Code of offences against municipal bye-laws and under section 34 of Act, V of 1861.

1	2	3	4
Offence Section and law offended against.	Substance of information date when and place where offence was committed.	Name, Parentage and Residence of Complainant. Accused.	Date and time at which information reached Police Officer.
5	6		
Name of the persons who appear to be acquainted with the circumstances of the case and details of any property sent in the case.	Accused how Rewarded. On bail. On recognizance. In custody and the reasons why.		
7			inding and sentence.

## FORM No. 5.12

## Special Report of an Offence

Police Department..... District  
 No ..... of ..... 19 . Dated ..... 19 .

Description of offence and section of law offended against; also distance and direction of place from Police Station and name of Sub-Inspector in-charge.	Number of Persons Supposed to have been concerned.	Arrested
---	--	----------

1	2	3
Value of Property. Taken. Recovered.	Statement of the case, conduct of the Police, steps taken by them.	
4	5	6

Date of occurrence.  
 Date of report to police.  
 Superintendent of Police.

Copy sent to :

- (1) District Magistrate ... ..  
 (2) Deputy Inspector General... ..Range.  
 (3) .... ..  
 (4) .... ..

## APPENDIX 6.40 (4)

Directions for and Precautions to be taken in forwarding Articles  
to the Chemical Examiner for Examination and Report

All articles should, as far as possible, be sent by registered parcel post. If this cannot be done and the articles are important, they should be sent by hand. Only very heavy and unimportant articles should be sent by rail.

## Human poisoning cases.

I. Fatal.—The following articles should be forwarded in all cases:—

(1) Stomach with contents. The stomach should be securely tied at both ends.

(2) A piece of the small intestine (about 3 feet) securely tied at both ends.

(3) A portion of the liver (not less than 16 Ounces), one kidney and piece of spleen.

(4) Urine or stomach washings if available.

(5) A sample of the preservative fluid used.

Note:—(1) Rectified spirit should be used in all cases unless alcohol, phosphorus or carbolic acid poisoning is suspected. In such cases normal saline solution should be used.

II. In suspected coal-gas (charcoal) poisoning, a sample of the blood should be sent in a small bottle properly corked. Add two drops only of formalin to prevent decomposition if available.

III. Ashes and burnt bones should only be sent where a metallic poison is suspected. Vegetable poisons are destroyed during cremation.

Documents which should be forwarded:—

A. By post—

(1) Post mortem Report.

Note:—Information on the following toxicologically important points should invariably be supplied—

(a) Date and hours of onset of symptoms; (b) date and hour of death; (c) in cases where the body has been exhumed, dates of burial and of exhumation should be entered in column headed "Death" (d) in cases of suspected irritant poisoning, the condition of the gastro-intestinal tract, as regards emptiness or otherwise, as well as any abnormal appearance of the mucous membranes should be specially noted. The following information should also be given:—

(a) note of symptoms observed by the Medical Officer if the case has been seen during life by him, (b) note of nature and duration of treatment, if any, adopted by the Medical Officer, Police, or Friends of deceased.

(2) Statements of symptoms (Police form 6.36 (i)) supplied by the Police to the forwarding Medical Officer. (This form should be carefully

filled by in the Police, noting particularly the early or first symptoms observed.)

(3) Certified copy of Police Reports sent with the case to the forwarding Medical Officer.

(4) Forwarding memo, and invoice list of articles forwarded for examination to the Chemical Examiner.

(5) Impression or imprint of seal used to seal the packages.

Notes:—(1) The seal should be a private one, and the same seal should be used throughout. The impression should be attached to the forwarding memo (No. 4), and should be protected by a thin layer of cotton wool to prevent its being broken in transit.

(2) An imprint of the seal on a piece of paper is better than an impression of the seal.

B. Under cover of the box containing the articles for examination—

(1) Duplicate copies of forwarding memo, invoice list of articles sent for analysis.

(2) Duplicate impression or preferably imprint of seal used in the case.

Note:—Make sure that the bottles are properly corked and packed otherwise leakages stain the documents inside.

II. Non-Fatal.—Vomit, stomach washings purged matter, urine and suspected articles of food should be sent whenever available.

Documents which should be forwarded:—

A. By post—

(1) Statement of symptoms (Police form 6.36(i) ).

(2) Note of symptoms observed by the Medical Officer.

(3) Note of treatment, if any, adopted by the Medical Officer, Police or patient's friends.

(4) Forwarding memo (original) and invoice list of articles forwarded for examination. The nature of the preservative fluid used, if any, should be stated.

(5) Impression or imprint of seal used to seal the packages.

B. Under cover of box containing the articles for examination—

(1) Duplicate copy of forwarding memo, and invoice list of articles sent for analysis, and of police form No ....6.36(1)

(2) Duplicate impression or imprint of seal used in the case.

#### Abortion cases.

I. Fatal.—As in fatal human poisoning cases, but, in addition, the uterus and upper part of the vagina should invariably be sent, alongwith any foreign bodies found in the genital tract.

II. Non-fatal.—As in non-fatal poisoning cases, but, in addition, any foreign bodies expelled or removed from the vagina or uterus should be sent.



**Blood-stain cases.**

The entire garments or other articles suspected to be stained with blood should be sent, if possible, no portions removed or cut from them. A label with number and description of the articles should be stitched or tied (not gummed or pasted) to each separate article, care being taken that the labels correspond with the invoice list of articles. When the label is tied to the articles the string should be sealed.

Notes:—(1) Take care that the stains are quite dry before being packed for examination. Wet stains readily decompose.

(2) Do not make a circle with ink or indelible pencil around the suspected stains. In wet weather or during examination such circles run into the stain and interfere with the tests.

(3) Wet blood stains on a culprit's body should be removed with a clean cotton swab and properly dried before being sent for analysis. Dry blood stains on a culprit's body may be gently scrapped into an envelope and then despatched for analysis.

**Documents which should be forwarded.**

A. By post—

- (1) Forwarding memo and invoice list of articles for examination.
- (2) Impression or imprint of seal used in the case.

B. With the articles—

- (1) Duplicate copy of forwarding memo and invoice list.
- (2) Duplicate impression or imprint of seal used in the case.

**Semen cases**

The entire garment, etc., should be sent. The cloth should not be folded at the stained portion. The stain should be kept quite flat, and should be protected by a thin layer of cotton wool on each surface.

Note:—It is better to send swabs from the vaginal mucus than mounted slides. These swabs should be first dried and then forwarded in a small box or phial carefully labelled.

Rules for preserving and packing exhibits for transmission to the Chemical Examiner.

I. The suspected organs or other exhibits should be placed in a clean glass bottle or jar having a good fitting stopper or cork. Wide mouthed bottles or jars of sufficient size must be used, otherwise the contents readily decompose. It is also difficult to empty narrow-mouthed bottles or jars that are tightly packed.

II. Materials that are liable to decompose should be preserved by one of the following methods:—

(I) In cases of suspected human poisoning other than alcohol, phosphorus, carbolic acid and some of the lesser known volatile poisons, the material sent should be immersed in rectified spirit. The spirit should be sufficient to cover the material immersed in whatever position the vessel

containing it may be held. On no account use common bazaar spirit. A separate four ounce bottle of the rectified spirit added should be sent for independent analysis as a control.

(2) In those cases mentioned above whether rectified spirit should not be added, the preservative used should be salt solution and the same precautions for immersion of material should be exercised. A salt solution is made by adding a full tablespoonful of salt about a pint of fresh clean water. A separate four ounce bottle of this salt solution should be sent for independent analysis as a control.

(3) If two or more examinations have to be made on the same occasion, the medical officer should complete one and label and seal the articles connected with it before commencing a second examination, otherwise there is risk of the viscera, etc., of one case getting mixed with those of another. He should clean his instruments and vessels before commencing the second case.

(4) In cases of suspected cattle poisoning, the viscera or other material should be preserved in rectified spirit with the same precautions as those exercised in human poisoning cases (item 2).

(5) It is advisable to keep a sample of the preservative added under lock and key in case the bottle containing the sample sent to the Chemical Examiner should arrive broken.

III. Great care should be taken that the stopper or cork of the bottle or jar fits tightly; especially this is necessary during the hot weather, when rectified spirit is added as a preservative. The stopper may first be canale-waxed and then carefully tied down with leather or water proof and sealed.

IV. To secure identity, the bottles or jars should be properly labelled with a list of the contents.

V. The bottles or jars should then be placed in a strong wooden box with plenty of packing material to ensure against any breakages during transit. Saw dust, cotton wool, and dried grass are suitable for this purpose. Old office papers etc. should not be used as the copies of the forwarding documents enclosed in the box are liable to be thrown away with this waste paper packing material. Keep these documents well away from the bottles as breakages or leakages are apt to strain them.

VI. The box itself should be covered with common garha cloth properly sewed and sealed. Seals should be at short intervals of three inches along each line of sewing. All the seals must be similar and preferably the wax should be of the same kind. The seal used should be the ordinary office seal and must be kept under lock and key. Current coins, or a series of straight curved or crossed lines must not be used as seals. The box should be properly addressed and sufficient stamps added to cover postage. The box must also be franked.

VII. Under no circumstances should viscera from different case be included in the same parcel.

VIII. The despatching officer who is invariably the Civil Surgeon or another medical officer authorised to conduct post-mortem examination, is personally responsible that these instructions are carefully followed.

Note:—In order to minimise the chances of parcels being lost in transit between the office of the Chemical Examiner and the Railway Station .....all articles for medico-legal examination should be sent by post as far as possible or better still by hand.

IX. In cases where the police send a closed parcel through the medical officer and the latter has no occasion to open it in transmission, the parcel should be packed in a second cloth cover and the forwarding memo should also be enclosed. This procedure is necessary and prevents cases getting mixed up on received in the Chemical Examiner's office.

X. A declaration of the contents to the Postal authorities is unnecessary.

#### APPENDIX 6.41 (2)

#### INSTRUCTIONS FOR DEALING WITH SUBSTANCES FOR OBJECTS SUSPECTED OF BEING EXPLOSIVE

##### Introduction

Explosive substances or objects which may cause explosion may be met within the following forms :—

A. Liquids.—For example nitro-glycerine. These will rarely have to be dealt with. The possession of a liquid explosive is generally illegal.

B. Solids.—

(1) **Blasting explosives.**—Dynamite, Gelatine Dynamite, Blasting Gelatine, Gelignite, etc. These are usually made up in cylinder form about two inches long in waterproof paper wrappers, stamped with the maker's name. They vary in consistency from a tough leathery material to a soft one like ordinary stiff jelly.

(2) **Gunpowder.**—May be black, brown or grey and is made up in cylinder form, cubes, pebbles, grains and powder.

(3) **Gun cotton.**—Is white and is supplied in slabs or cylinders or loose like ordinary cotton wool.

(4) **Gun, rifle and shot gun powders.**—These are generally in cords, tapes or grains, but are found as small cubes or flakes. In colour they may be white, pink, yellow, blue or black.

(5) **Fulminates.**—These are white or grey powders. They are extremely dangerous. Their possession is generally illegal.

(6) **Picric acid and picrates.**—These are crystalline or may be in powder form. They have a brilliant yellow colour if pure. A license is required for their possession.

(7) (a) **Ammonal.**—This is a mixture of tri-nitro-tol uene, ammonium nitrate, aluminium powder and charcoal. It is a silvery brown paste.

(b) **Amatol.**—Is a mixture of tri-nitro-toluenec and ammonium nitrate. In appearance it is a brown paste.

(8) **Chlorate of potash.**—May be found in clear tabular crystals or as a white powder.

(9) **Sulphide of arsenic.**—Is generally found as a yellow or orange powder.

(10) **Carbide or phosphide of calcium.**—Under certain circumstances these may cause violent explosion.

(11) **Detonators and caps.**—These are explosives made up in metal tubes or small metal caps. Military detonators, friction tubes and time fuzes are made in a great variety of forms. All detonators should be handled with the utmost care.

(12) **Fuse.**—This is slow burning gunpowder rolled up in cloth or paper in the form of long cards. Military fuses are made up in metal bodies in great variety of forms.

(13) **Cartridges.**—These are either commercial, military or sporting and generally contain their own means of ignition in the form of a cap or primer. Cartridges for big guns generally consist of explosives made up in silk cloth or shalloon bags or bundles.

(14) **Bombs.**—These are explosives contained in receptacles such as bottles, jars, coconut shells, cloth, jute or hemp, balls or bundles, books, letters, tins, metal shells, bamboo tubes, water cistern floats, chatties, etc., the whole being designed to explode by percussion, fuse, trigger, by being inverted etc.

(15) **Fireworks.**—Fireworks are provided with a fuse of touch papers or slow match. Throwdowns, crackers, explosives, corks or objects designed to explode by percussion, provided they are not detonators, caps or cartridges are not fireworks, but bombs.

(16) **Rockets.**—Some rockets are not fireworks. Life saving signal and military rockets are dangerous and should be handled with care.

**Signals.**—These may be ship-flares, signal lights, etc. They are not fireworks.

#### C. Gases.—

Liquid or compressed gases (ammonia, oxygen, hydrogen, acetylene, carbon-di-oxide) in cylinder, sparklets, etc. may under certain circumstances cause violent explosion.

#### Instructions

A local police officer should communicate atonce with the Superintendent of Police, who will himself proceed, or depute some responsible officer to proceed, to the place to carry out the following instructions:—

1. If you have any reason, however slight, to suspect that the substances or object with which you are dealing is dangerous then regard it as being Highly Explosive until such time as it is proved to be otherwise.

2. During the removal, guarding or examination of any substance or object suspected of being explosive, all unnecessary persons whether police or otherwise should be sent away.

3. If the substance you are examining is Liquid, proceed as in paragraphs 6 or 7 Solid, proceed as in paragraphs 8, 9, or 10 Gas, proceed as in paragraph 11.

4. If the object you are examining is a—

Detonator or cap.

Fuse,

Cartridge,

Firework,

Rocket,

Signal Light,

Bomb,

Proceed as in paragraph 12.

Proceed as in paragraph 13.

6. (1) If the substance is a liquid in an open vessel. Carefully dip into the liquid a pencil or thin piece of stick and allow one drop to fall on a small piece of blotting paper or tin foil (silver paper). Remove this ten yards or more from the vessel or vessels containing the bulk of the liquid, place it upon a flat surface of iron or stone and strike it a sharp glancing blow with a flat headed hammer. Repeat the test three times with fresh drops and also by burning a fresh drop of the liquid on blotting paper in the flame of a spirit lamp or candle

(A) The substance explodes or burns rapidly.—Place about half an ounce of the liquid in a small clean bottle, carefully cork it up (do not use a glass or metal stopper), and after packing in cotton wool in a box or tin, send it by messenger to the Inspector of Explosives, Northern India, with your report. The bulk of the liquid should be locked up in an isolated place until instructions are received from the Inspector of Explosives, Northern India, as to its disposal.

(B) The substance does not explode or burn rapidly.—Place about half an ounce of the liquid in a small clean bottle, cork up and after packing send by post to the Inspector of Explosives, Northern India, with your report, the bulk of the liquid should be locked up in any convenient place until the report of the Inspector of Explosives is received.

7. (1) When the substance is a liquid in a closed vessel.—(1) If the vessel is a bottle and is not suspected of being a bomb and the stopper will not come out when using only moderate power, do not attempt to open but send it by messenger to the nearest Inspector of Explosives together with your report, first having carefully packed the bottle upright in a box with straw, sawdust, or paper, etc.

(2) If the vessel is a bottle and is not suspected of being a bomb and the stopper will come out, then proceed as in paragraph 6.

(3) If the vessel is not suspected of being a bomb and is of metal or other hard material and the stopper will not come out when moderate force is used, do not attempt to open but remove the vessel very gently and in such a manner as to expose it to as little shaking as possible, and without turning it over in any way, to such open place of safety in the vicinity as may be available, where its ignition or explosion would be attended with a minimum of mischief, e.g., a yard or a garden or other open space from which the public are or can be excluded. Tie two pieces of strong cord to the vessel passing one cord round a hook or tree and from round the corner of a building and after all persons have been removed from within range, pull the cords backward and forward so that the vessel is upset and given as severe a shaking as possible, then leave the vessel alone for twelve hours.

If explosion is not obtained and the vessel is not too large send it by messenger to the Inspector of Explosives with your report.

If the vessel is a large one, try once more to open it using more force. If you cannot open it, remove the vessel to a convenient place where it can be locked up and send a copy of your report and all connected papers to the Inspector of Explosives.

8. When the substance is a solid in an open vessel.—

(1) Carefully take out with a piece of cardboard or flat stick a few grains of the solid and after removing it ten yards or more away from the vessel or vessels containing the bulk of the substance, place it upon a flat surface of iron or stone and strike it a sharp glancing blow with a flat headed hammer. Repeat the test three times with fresh substance and also try burning a small portion on blotting paper in the flame of a spirit lamp or candle.

(A) The substance explodes or burns rapidly.—Take a very small amount of substance, add to it a little water and notice what happens. If the substance undergoes no change and there is no sign of any gas being given off, or of heat being generated, place about half an ounce of the substance in a small clean bottle and fill up with clean water. Cork the bottle carefully, taking the precaution not to use a glass or metal stopper, and then pack it in cotton wool in a box or tin and send it by messenger to the Inspector of Explosives with your report.

The bulk of the substance should then be covered with clean water and locked up in an isolated place until instructions are received from the Inspector of Explosives as to its disposal.

(B) The substance does not explode or burn rapidly.—Test a small amount of the substance with water in exactly the same way as detailed in (A). If the substance undergoes no change and there is no sign of any gas being given off, or of heat being generated, place about half an ounce of the substance in a small clean bottle and fill up with water. Cork the bottle carefully, and after packing, send it by post to the Inspector of Explosives with your report.

The bulk of the substance should then be covered with clean water and locked up in any convenient place until the report of the Inspector of Explosives is received.

(2) If you find that the substance under sub-paragraphs (A) and (B) does undergo a change, etc., when water is added proceed exactly as before, except that the sample in all cases should be sent dry, and the bulk also kept dry. Make certain that your bottle is absolutely dry before you put the sample into it.

9. When the substance is a solid in a closed vessel — (1) If the vessel is a bottle and is not suspected of being a bomb and the stopper will not come out when only moderate power is used, do not attempt to open it but sent it by messenger to the Inspector of Explosives together with your report, first having carefully packed the bottle upright in a box with straw, sawdust, paper etc.

(2) If the vessel is a bottle and is not suspected of being a bomb and the stopper will come out then proceed as in.

(3) If the vessel is not suspected of being a bomb and is of metal or other hard material proceed as in 7.(2).

10. When the substance is calcium carbide or calcium phosphide. — If it is desired to destroy calcium carbide or calcium phosphide, this can be done by dropping them into deep water, but not more than half a pound at a time, waiting until no more gas is given off before a fresh portion is destroyed.

11. When the substance is a gas. — Cases are generally found compressed in cylinder, sparklets, etc. They should be kept cool and away from the direct rays of the sun. If it is desired to know what gas in any cylinder, the whole cylinder should be sewn up in a coir matting and sent by train to the Inspector of Explosives together with your report. Small cylinders or sparklets only a few inches long can be sent by post if well packed in cotton wool in a wooden box.

12. When the object is a detonator, cap, fuse, cartridge, firework, rocket, light, these should never, under any circumstances, be sent through the post. A few should be carefully packed separately in cotton wool in a wooden box and be sent by hand to the Inspector of Explosives together with your report. The bulk should be locked up in an isolated place.

13. When the object is a bomb. — (1) These may be met within the following forms :—

A. Military grenades

B. Copies of military grenades.

C. Bombs made up in soda bottles, jam tins, water cistern floats, chatties, coconut shells, bundles of jute or bamboo tubes, etc.

D. Book bombs.

E. Letter bombs.

(2) Any of these may be designed to explode—

- (a) when moved in any way.
- (b) when turned over.
- (c) when placed in water.
- (d) when thrown down.
- (e) by lighting a fuse.
- (f) by clock work.
- (g) by chemical reaction.

3. Before touching the bomb examine it where it lies and see if it is set or not. Do not move the bomb, unless you are satisfied that it is safe to do so. If you are not satisfied then place a guard over the bomb and report to your senior officer.

**A. Military grenades.**—The first thing to do is to see that the safety pin is in position, that it is not broken or corroded and that the ends are well played out so that it cannot be jolted out. See that the jaws of the lever are in good condition and support the striker correctly. Being satisfied on these points, the base should be unscrewed and, if the igniter set is present, it should be carefully removed. Pack the igniter set and the bomb in cotton wool in separate wooden boxes and, send by hand to the Inspector of Explosives together with your report.

If the safety pin and lever are missing and the striker is inside the bomb, it will probably have to be destroyed in situ. Set a guard over it where it lies and report to your senior officer.

**B. Copies of military grenades.**—These are generally something like a military grenade but are of cruder finish. They must only be handled by persons who have handled bombs before. It is generally possible to render them harmless by removing an explosive cap or tuft of gun cotton. This should only be done when you are satisfied that the trigger is safe. Do not put this type of bomb in water but, provided the trigger has been made safe, it should be packed in cotton wool in a wooden box and be sent by hand to the Inspector of Explosives together with your report.

**C. Bombs made up in soda bottles, etc.**—First arrange a string bag and strong cord over a large bucket of hot water. Carefully remove the bomb keeping it in the same position as found and place it in the bag and from round the corner of a building first having sent everybody present under cover lower the bomb into the hot water and leave it there for 24 hours. The water will then be cold.

It may then be taken out and be carefully packed in wet straw or cotton wool in a wooden box and be sent by hand to the Inspector of Explosives together with your report.

If the bomb is well made and there is a possibility that the water may not have penetrated inside; it should be given the rough treatment described in paragraph 7.(3) before being sent away.



**Book bombs.**—These are bombs made up in book form and are generally designed to explode when the book is opened or turned over. Such a bomb should be very carefully taken to an isolated place, keeping it in the original position all the time and be locked up. Send a report on the subject to the Inspector of Explosives.

**E. Letter bombs**—These are letters containing explosives which are designed to explode when opened. Place the whole letter in a bucket of water. When the letter is quite wet, pack it in a tin in wet cotton wool and sent by hand to the Inspector of Explosives together with your report.

**Body Traps.**—1. "Body Traps", are bombs generally designed to explode in the presence of an officer who is engaged in searching suspected premises.

2. They may be designed to explode when the bomb is moved in any way or electric contact is made by some action of the officer or by clock work or chemical means.

3. The most prevalent procedure is to cause one bomb to explode in a house by time fuse, such as a burning candle, leaving a second bomb which will explode when the officer comes to investigate the first explosion, or the officer may be tempted to the house by a message, telephone call, etc.

4. Another method is to leave the second bomb with an obvious means of ignition such as a burning candle in the hope that the officer will extinguish the candle and then consider the bomb as safe whereas it is really designed to explode if moved in any way.

5. Never enter a house or room in which you suspect body traps by the obvious way. First smash a window or knock a hole in the wall with a crowbar opposite the door to see if the door can be safely opened.

6. Enter the house or room very slowly touching nothing until each object has been carefully examined. Make a loop at the end of long rope and drop the loop over each object which might be a bomb without touching it. These may be such things as tins, trunks, kettles, lamps, buckets, boxes, clocks, etc. From outside the room or house jerk the object about by means of the rope and do not enter the room or house again for some minutes in each case. Open the lids of boxes or trunks by means of the rope from round to corner.

7. If an unexploded bomb is discovered after this treatment proceed as in paragraph C above.

#### FORM No. 6.2 (1)

#### Order to Require Attendance at Investigation Under Sections 160 and 175. Criminal Procedure Code.

Name.... son of.....  
 Cast.... Resident of.....

Whereas the presence of the aforesaid person is necessary for the purpose of enquiry into the offence reported to have been committed under

section.... at Police Station...., therefore the said person is hereby directed to appear before the undersigned at (place... hour ..... date.....) there to give such information relating to the said alleged offence as he may possess.

Signature and designation of issuing  
Police Officer.

Date .....

Hour.....

Note:—

... mentioned in this order attended on...  
... at... at... and was permitted to  
leave on... at... at...  
Date....

Signature and Designation of issuing  
Police Officer

### FORM No. 6.24 (1)(a)

Police Station..... District.....  
Notice of search in the case of State versus....  
F.I.R. No...., Dated ... , Offence ...  
Section 165/166 Cr. P C.

Date and place of search	Name, parentage, residence and caste of the person to be searched.	Articles to be searched for.	Reasons for which the search is to be made.
1	2	3	4

Officer-in-charge.

Signature of

Investigating Officer.

Endorsement in case the officer causing the search to be made is unable to conduct it in person.

I hereby authorise.... to conduct the search as I am unable to conduct it in person for the following reasons :—

Signature of Officer-in-charge/  
Investigating Officer.

### FORM No. 6.24 (1)(b)

Order under section 103(1), Criminal Procedure Code, requiring  
attendance of a witness at a search

F.I.R. No ... , dated ... Section .. Police  
Station....  
To,  
...  
...  
...  
...

Whereas it is necessary to make a search in the above mentioned  
house/shop/place of... situated in... therefore I,.....

.....call upon you to attend the aforesaid house/shop/place at -- ...  
 .....O'clock on/forthwith to witness the search.

N. B.—Failure to attend without reasonable cause is punishable under section 187, I.P. Code.

Dated

Signature and designation of the officer  
conducting the search.

### FORM No. 6.24 (1) (c)

FORM of search list prescribed by section 103 (2) Cr. P.C.

F.I.R No. ...., dated .... Police station.

The house of...., son of.... caste ...., resident of village, ...., was searched in the presence of the undermentioned witnesses and the following articles were recovered and taken into possession by the police on the statement and indication of....., son of...., caste ...., village ...., accused in the above mentioned case.

Cross out if not applicable.

Place from which recovered.

Signature and designation of the  
officer conducting the search.

Articles

Name and signature of the witnesses.

Date.

### FORM No. 6.34 (1)(A)

Police Station

District.....

Death Report-Sudden Death From Natural Causes Death  
Report No.

Dated .....

1. Name and place where death occurred.
2. Distance and direction from the police station in whose jurisdiction it is.
3. Date and hour of discovery of the death.
4. Name, parentage and residence of two or more persons who identify the body as that of the deceased person named in this report.

son of  
resident of

Note.—Relatives of deceased, or two respectable witnesses to identification should be obtained, if possible.

son of

5. Name of deceased  
parentage  
Caste

resident of

Residence

Condition in life

6. Age and sex Age Sex
7. Condition of clothes, ornaments, etc. as not indicating an unnatural death.
8. Position of the limbs, eyes and mouth.
6. Expression of the countenance.
10. Injuries or marks of violence the body may have received. "Wounds and bruises". Position, length and breadth.
11. Blood, liquid or clotted; where oozed from and to what amount.
12. In what manner, or by what weapon or instrument, such marks of injuries of violence appear to have been inflicted.
13. Is the body well nourished and vigorous or emaciated and weak ?
14. Apparent cause-of death.
15. Any signs of death having been caused by violence or poison or, any rumours of such being the case ?

To be made out on sepa- rate sheets of paper.	16. Description of each article of clothing ornaments, covering, weapons, etc, found on or near the body.
--	---

17. Sketch plan of the scene of death.

18. Brief history of the case.

19. Signature of two or more respectable inhabitants present at investigation and of investigating officer with date and place of signing.

FORM No. 6.34 (1) (B)

**Death Report Unnatural Death By Violence**

Death Report No ..... ..

Police Station... ..

Dated .....

1. Name of place where the death occurred or where body was found (state which).
2. Distance and direction from police station in whose jurisdiction it is.
3. Date and hour of discovery of the death.
4. Names, parentage and residence of two or more persons who identify the body as that of the deceased person named in the report.

(Note.—Relations of the deceased or two respectable witnesses to identification should be obtained, if possible).

5. Name, parentage, caste, residence and condition in life of the deceased.
6. Age and sex.

7. Condition of the clothes, ornaments, etc. and marks of either having been forcibly removed or of being stained with blood or other matter.

(Note.—If the Civil Surgeon or other Medical Officer is expected to attend to examine the body this information should be filled in so far as can be seen and without touching or removing any clothes, and in such case it should be completed after he has finished his examination of the body).

8. Position of the limbs, eyes and mouth.
9. Expression of the countenance.
10. Injuries or marks of violence the body may have received. Wounds and bruises. Show position, length and breadth.

(Note.—Not depth. Be careful not to probe wounds. If the Civil Surgeon or other Medical Officer be expected to attend to examine the body, this information should be filled in after he has completed his examination).

11. Blood, liquid or clotted where oozed from and to what amount ?
12. In what manner or by what weapon or instrument such marks of injuries or of violence appear to have been committed ?
13. Was there any rope or other article round the neck, of any mark of ligature on the neck ?
14. Had such rope or article apparently been used to produce strangulation, and, if the body had been suspended by it, could it probably have supported the body ?

In what mode was the either end of the rope attached to the support.

15. Were there any foreign matters, such as weeds, straw etc. in the hair or clenched in the hand of the deceased, or attached to any part of the body.
16. Is the body well nourished and vigorous or emaciated and feeble ?
17. Is it stout, thin or decomposed ?
18. Height by measuring from head to feet.
19. Distinguishing marks—Position and appearance of moles, etc.
20. Apparent cause of death.

To be made out  
on separate sheet  
of paper.

21. Are there any circumstances or rumours tending to show that deceased killed himself ?
22. Description of each article found on body (to be labelled and sealed).
23. Description of each article found near (to be labelled and sealed) the dead body.
24. Sketch plan of the place where body was found.

## FORM No. 6.34(1)(C)

## DEATH REPORT-UNNATURAL DEATH BY POISONING

Death Report No ... .. Police Station .....  
 Particulars relating to the case, in addition to those given in  
 Form No .... ..

1. Was deceased in good health previous to the attack ?
2. If not in good health, what was he suffering from ?
3. What medicine was he taking ?
4. What did the last meal consist of ?
5. What was the interval between the last meal and the commencement of the symptoms ?
6. What did the deceased last eat or drink before the commencement of the symptoms ?
7. What was the interval between the very last time he ate or drunk, and the commencement of the symptoms ?
8. What were the first symptoms ?
9. Was he thirsty ?
10. Did he become faint ?
11. Did he complain of head-ache or giddiness ?
12. Did he appear to have lost the use of his limbs ?
13. Did he sleep heavily ?
14. Was he at any time insensible ?
15. Did convulsion occur ?
16. Did he complain of any peculiar taste in his mouth ?
17. Did he notice any peculiar taste in his food or drink ?
18. Was he sensible in the intervals between the conclusions ?
19. Did he complain of burning or itching in the mouth and throat, or of numbness and tingling in limbs ?
20. Was there vomiting ?
21. Was there purging ?
22. Was there pain in the stomach ?
23. Mention any other symptoms ?
24. Had the deceased ever suffered previously from a similar attack ?
25. How many other persons partook of the meal or food, or drink by which the deceased is supposed to have been poisoned ?
26. How many were affected by it, and in what way ?
27. Did the deceased move from the place where the first symptoms were noticed, if so, how far ?

Dated

Signature of Officer  
 conducting the in-  
 quest.)

(Signature of two or more  
respectable inhabitants of  
the place present at the  
investigation )

Name.

Rank.

A.

B.

## FORM No. 6. 36(1)

Police Station.....

District.....

FORM TO ACCOMPANY BODY OR INJURED PERSON SENT  
FOR MEDICAL EXAMINATION

1. Name of injured or deceased person, parentage, caste, residence  
and condition of life.

2. Sex and supposed age.

3. Report of Police Officer:—

(a) Description of any injuries or marks of violence received,  
wounds and bruises, position, length and breadth.

(b) Brief report by despatching police officer stating the manner  
in which the injuries or death is supposed to have been  
caused. If by poison, the poison suspected to have been used.

(c) Date and hour it was administered, and date and hour of  
commencement of symptoms, the date and hour of death,  
and the nature and duration of treatment adopted by the  
police or friends of the deceased.

4. Brief report and opinion in simple language dictated by the medi-  
cal Officer and followed by his initials:

(a) As to the means by which the injuries were caused:

(b) In the case of injuries poisoning not causing death, the extent  
of the injuries or sickness, and in the latter case, the nature  
of the poison ascertained or suspected.

(c) In the case of death (1) whether death by violence is ascer-  
tained and cause of death, and (2) whether death is suspected  
for poisoning, the poison as contained or suspected.

The following kinds of hurts only are designated as 'grievous' as  
stated in section 320, Indian Penal Code.

First Emasculation.

Secondly Permanent privation of the sight of either eye.

Thirdly Permanent privation of the hearing of either ear.

Fourthly Privation of any member or joint.

Fifthly Destruction or permanent impairing of the powers of any  
member or joint.

Sixthly Permanent disfiguration of the head or face.

Seventhly Fracture or dislocation of a bone or tooth.

**Eighthly** Any hurt which endangers life or which causes the sufferer to be during the space of twenty days, in severe bodily pain, or unable to follow his ordinary pursuits.

Add the following on the back of Police Rule Form No. 6.38 Injury Report Form:—

## FORM No. 6.43 (viii)

## INFORMATION REGARDING ANIMAL POISONING

Police Station..... District.....  
F. I. R. No. .... Dated..... Section.....

Points to be specially noted.

- |   |    |
|---|----|
| 1. Class of animal (horse, buffalo or bullock etc).                     | 1. |
| 2. Age and general condition previous to poisoning.                     | 2. |
| 3. The symptoms after the poison was given or before death.             | 3. |
| 4. How long after feeding the symptoms were in coming on ?              | 4. |
| 5. What the prominent symptoms were ?                                   | 5. |
| 6. How long the animal lived after the symptoms made their appearance ? | 6. |
| 7. What poison was supposed to have been used ?                         | 7. |
| 8. Appearance presented by the carcass after death.                     | 8. |
| 9. Any other particulars likely to be of value.                         | 9. |

Dated.... 19 .....

Officer-in-charge of  
Police Station.

## FORM No 6.47 (4)

BILL FOR EXPENSES INCURRED IN MAINTAINING CATTLE  
DURING INVESTIGATION

Police Station ....

District....

Bill No.

Case First Information Report No .. dated..... 19 .....

1	2	3	4	5
Date	Name and address of payee	Number and date of case diary	Full details of cattle and the rate of amount to be paid	Amounts

Rs.

P.



(To be drawn by hand)

Total (in words) Rs .....

Station .....

Date .....

FORM No. 6.52

CASE DIARY

Police Station..... District.....

First Information Report No ..... of Case Diary No .....

19—. Date and place of occurrence. .... Time and date of

receipt in police

Station.

Time and date of

despatched from

Police Station.

Offence—

Date (with hour) on which action was taken	Serial No. of report	Record of Investigation
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CASE DIARY—(continued)

FORM No. 54 (1)

CHARGE SHEET

District..... Charge Sheet No ..... dated ..... 19 .....

Police Station..... in first information No .....

Dated.....

1	2	3
Name, address and occupation of complainant or informant	Name and address of accused person not sent up for trial, whether arrested or not arrested, including absconders, (show absconders in red ink)	Name and address of accused person sent for trial. In custody on bail or cognizance.

5	6	7
Property (including weapon) found, with particulars of where, when and by whom, found and whether forwarded to Magistrate.	Names and address of witnesses	Charge or information:— Name and offence and circumstances connected with it, in concise detail, and under what section of the law charged.

Despatched at.....A.M./P.M. on ..... 19.....

Signature of  
Investigation Officer.

## FORM No. 6.55 (2)(i)

Final Report under Section 173, Criminal  
Procedure Code.

District.... Final report No .....dated.....19.....

Police Station..... in first information No...., dated .....19 .....

1. Name and address of complainant or informant.
  2. Nature of charge or complaint.
  3. Description of property stolen, if any.
  4. Name and addresses of accused persons, if any.
  5. If arrested, date and hour of arrest.
  6. Date and hour of release and whether on bail or recognizance.
  7. Property (including weapons) found, with particulars of where, when and by whom, found and whether forwarded to Magistrate.
  8. Brief description of information or complaint, action taken by police with result, and reasons for not proceeding further with investigation.
- Despatched at ..... A.M./P.M. on .....19.

Signature of  
Investigation Officer.

N. B.—The Magistrate should record his order on the back.

## FORM NO. 7.7 (1)

## Certificate Regarding Identity of an Accused.

From Police Station ... , district...  
To Sub-Inspector of Police Station... district ..  
Accused ... , son of... , caste .. age ....  
description .., resident of Mohalla... village or city ....  
police station ... , district ... , has today been arrested in  
connection with first information report No ... under section ....  
He gives his name and residence as noted above, and states that he is known  
to ... and .. Sar-Panch and respectable men of the village.  
Kindly answer the questions written on reverse of this certificate.

Dated....

Signature of Station House  
Officer.

( REVERSE )

Questions.	No.	Answers.
1	2	3
1. Are his name, address and residence as given by him correct ?		
2. Can the Sar Panch and respectable men identify the man of this name, address and residence and do they give the same description as given by me on reverse ?		

3. If already classed "P. R." convict, the district serial No. of the "P. R." slip should be noted.
4. If he is not a "P. R." convict, should he be recommended to be declared a "P. R." or "P.R.T." convict now?
5. Give his previous convictions in detail, if any.

## Reply

From Police Station.... district.... To Sub-Inspector of Police Station .. district....

The history of this man has been ascertained through.... of .... and your questions have been answered.

Dated.... Signature of Station House Officer.

## FORM 7.8 (2)

Police Station.... District

## Report of Arrest

(Under Section 62, Criminal Procedure Code).

Has the honour to report that .....son of... , caste ....resident of ....has been apprehended (or detained, as the case may be) this day at.... O'clock, as he is accused, of ....

Dated .. ...

Sub-Inspector.

The....

To be lithographed on a post-card.

## FORM No. 7.13 (4)

## Register No. X

Police Station.....

.... District

## Register of Deserters

1	2	3	4	5
Serial No.	Date of entry in this register	Name, parentage caste and description of deserter	Residence	Date of desertion and regiment or corps of deserter
6	7	8	9	
Reference to letter intimating information regarding deserter	Date of arrest	Name and rank of officer arresting deserter	Remarks showing action taken to secure arrest	

To be drawn by hand in an open foolscap size register maintained in the office of Superintendent according to police stations. Similar register to be maintained in each police station.

## (FORM 7.13 (5))

## Descriptive Roll of a Deserter

Police Station.....

..... District

..... District

Annual Serial No.

1. Name

2. Father's name

2. Caste

4. Residence

} Village

} Police Station

} District

5. Description

6. Regiment to which belonging

7. Date of desertion

8. Place of desertion

9. Remarks

## FORM No. 7.20 (5)

## Identification of Suspects

Police Station.....

..... District

**Note:—**Whenever it is necessary to submit any person suspected of having been concerned in any offence for identification, particular care should be taken, pending the arrival of the identifying witnesses to keep the suspect in some place where they cannot have access to him. On their arrival the suspect should be placed with 8 or 9 men similarly dressed, and of the same religion and status, and the identification carried out whenever possible in the presence of a Magistrate or independent witnesses who should be asked to satisfy themselves that the identification has been conducted under conditions precluding the possibility of collusion. Care must be taken that the identification by each witness is done out of sight and hearing of the other identifying witnesses.

Date and place  
of identification.Name of  
witness.Name of  
suspects he  
identifies.

1

2

3

Description of  
manner in which  
the rule regulating  
such identification  
were complied  
with.Signature of  
Magistrate or other  
witnesses in whose  
presence the test is  
carried out.Signature of  
police officer  
in charge.

4

5

6

## FORM No. 7.31(1) (g)

## MEMORANDUM OF IDENTIFICATION OF SUSPECTS.

Memorandum of identification proceedings of following accused

conducted on ... ..at ... ..			
Name, parentage and residence of the accused.	Offence.	Any distinctive marks likely to affect identification.	Steps (if any) taken by the Magistrate conducting the proceeding col. 3.
1	2	3	4
Date of admission into the Jail (or on bail).	Name, parentage & residence of witness.	Name or description of the person who came to identify (in his own words)	Name of the accused correctly identified.
5	6	7	8
Wrong person pointed out (if any).	Observation of the witness or the accused.	Magistrate's remarks about demeanour of witness.	
9	10		11

The person/persons to be identified was/were mixed up with..... other under trial prisoner/persons. All were made to stand in a circle. They were made to wear the clothes in which they were originally admitted to the jail (with the exception of the changes mentioned in column 4). No fetters were on. The accused were given the opinion to change places at will, but were not allowed either to conceal their faces or stature so as to impede recognition and to exchange their clothings. The witnesses were called in one by one and asked to single out the person or persons they had come to identify and to mention the action for which they identified him or them. Every precaution was taken to ensure that no succeeding witness communicated in any manner with the preceding one. The result of the proceeding was as follows:—

Remarks of the Magistrate who conducted the proceeding on the following Points :—

- (1) Was the Superintendent of Jail informed at the time of the admission of the accused to the jail lock-up that his identification would be conducted later on.
- (2) Step taken by the Jail authorities to ensure the proper conduct of the proceedings.
- (3) Any other point.

Dated..... 19

Magistrate, I Class.

N. B.—It is very useful to note whether the witness knew the name of the person he had come to identify or he only described him in some such way as the man who was standing at the door at the time of the dacoity. The witness is not to be asked in a general way.

“Identify whomsoever you know”

## FORM No. 7.32 (IX)

IDENTIFICATION OF PROPERTY HELD AT.....IN CRIME

No ... UNDER SECTION... OF POLICE STATION .....

DISTRICT.....IN THE COURT OF .....

MAGISTRATE .....CLASS ON .....19.....

AT ... .....a.m./p.m.

Serial Number	I	II	III	IV	V	VI	VII	VIII	IX	X
Name of accused from whom										
recovered ....										
Name of article to be identified....										
Number of articles mixed ....										
Any condition of the article which is likely to affect identification of proceedings. ....										
Precautions taken regarding above										
Names of witnesses with parentage										Result
<p>1. The property to be identified was brought by ..... Court Moharrir/Police constable No..... of my Court Police Station in ..... sealed bundles (mention the receipt) from..... The articles to be mixed up were brought by..... in sealed bundles. The Seals were intact and were opened before me. The witnesses were called one by one, every precaution was taken to ensure that no succeeding witness communicated in any manner with preceding one.</p> <p>2. The articles mixed up were similar in appearance to those for identification except in details given in remarks column.</p> <p>3..... was present on behalf of prosecution.....was/were present on behalf of..... accused.</p>										
										Magistrate.....
										Date.....

## FORM No. 8.1 (3)

## Memorandum of Chalan

In case F.I.R. No.....

dated.....

State Vs.....

Police Station .....

Section .....

1. Whether all the papers and documents entered in the list given on the challan are properly attached to the challan ?

2. Are all the columns of challan form duly filled in ? Note any mistake made in filling the form.

3. Does the list of property entered in column No. 2 tally with the list given in Road Certificate ? Note any discrepancies

4. Is the copy of Police Station file complete ? Does it contain a copy of the F. I. R. ? Is the file properly prepared and signed by Station seal, etc. ?

5. Is the plan of spot prepared according to instructions, i.e., whether the notes on it are entered by the investigating officer in red ink, and if these notes appear to be made correctly.

6. Are the sketches of the weapons of offence attached to the challan ? Do they bear the signatures of the preparing officer and the weight of the weapon ?

7. Is the list of stolen property attached to the challan ? If so, does it bear the signatures of the complainant and the officer writing the list, with date ?

8. In murder and hurt cases whether the post-mortem reports inquest reports, statements of the injuries, chemical Examiner's and Imperial Serologist's reports attached to the challan or not ?

9. Whether the list of properties, etc., recovered, produced or sized in the case are correctly prepared dated and signed by witnesses and officer preparing them ? Also whether the signatures of the witnesses of recovery who are entered in the challan appear on the lists ?

10. Were the accused's search slips sent to Bureau and was any reply received ? If so, what ?

11. Are the identification certificates of the accused attached to challan ?

12. Which of the accused are previous convicts ? Give brief note of their conviction with dates.

13. Whether all the persons who were accused of committing the offence in the F.I.R. or First Case diary have been sent up for trial ? Note if some of them are omitted or some new are added. Also note if the officer sending the challan has noted any reasons for doing so in the brief.

14. Is the police brief prepared according to instructions ? Note defects (Paragraph \_\_\_\_\_).

15. Are all the eye or other necessary witnesses whose names were mentioned in F.I.R. entered in the challan ? If not, are any reasons given in brief for doing so.

16. Note the dates on which the several accused were arrested.

17. Were remands regularly taken and was the challan prepared in proper time ?

18. Whether all necessary evidence has been entered in the Challan ? Note if there are any omissions.

19. Whether the personal bonds and bail bonds of accused persons and the recognizance of all witnesses are attached to the challan or not ? If they are attached, note if they are complete, and properly bind the accused

and witnesses for attendance. If arrangements for producing witnesses along with the challan have not been made, are any reasons given in the challan for not doing so ?

20. Note in cases sent up for proceedings under section 512, Criminal Procedure Code, if the full description of the absconders and list of the property owned by them are attached to the challan. Whether separate report for obtaining the warrant of arrest of absconder was received, whether proceedings under section 87/88, Criminal Procedure Code, have been started.

21. In cases of kidnapping and abduction note if the medical opinion and copies of birth register are attached with the challan.

22. Whether the statements of prosecution witnesses were separately recorded under section 161/162, Criminal Procedure Code ?

23. By whom has the challan been prepared ?

24. Has any unnecessary delay been made in the course of investigation or in challaning the case ?

25. Other necessary facts, defects and omissions made in the investigation, etc., which require special notice or which necessitate some action. Particular care should be taken to see whether enquiry has been made regarding the connections of Prosecution Witnesses with the complainant and with the accused.

26. A brief order issued or action taken on the challan.

27. Final decision of the case with date.

28. Note any undue delay made by court in dealing with the case. Instances in which witnesses were produced with the challan and were sent back unheard, delays in framing charges, hearing, arguments or pronouncing judgements etc.

29. If the case ends in discharge or acquittal, copy of the judgement should be attached with an opinion as to whether or not the case is a fit one for revision or an appeal.

### FORM No 8.2(1)(a)

Police Station .....

District.....

Serial No. of charge sheet slip despatch register.

Charge sheet slip to accompany charge sheet No....

(1) No of First Information Report.

(2) Date of Report.

(3) Value of property Stolen/Recovered.

(4) Date of sending up for

(5) Date of arrival in court.

trial.

Name of accused arrested, parentage, caste residence, occupation, description and special marks of identification	Offence under which charged by the Police and place of occurrence	Date of arrest	Date of transfer or escape
1	2	3	4



Offence which has been proved against the accused or in which he has been acquitted.	Sentence, date of sentence, name of court and presiding officer with his powers, the district in which the trial was held and whether the case was tried summarily or otherwise	District serial No. of P.R. Slip (if any) as entered in P.R. REGISTER.
5	6	7

Signature of the Magistrate

## FORM No. 8 7(1)

Police Brief In Case under Section . . . . .

First Information Report No . . . . .

Police Station . . . . .

Police Station . . . . .

District . . . . .

- 1 Place of occurrence and its distance from the Police Station . . . . .
- 2 Date and time of occurrence. . . . .
- 3 Date and time when F.I.R. was made at the Police Station, and explanation of delay, if any. . . . .
- 4 Value of property stolen. . . . .
- 5 Name of complainant, with explanation. If not the leading injured party. . . . .
- 6 Name, and parentage of accused and date of arrest, with explanation of any delay in effecting arrest; also note whether mentioned in F. I. R. and if not when and how first mentioned. . . . .

(Fresh Page)

- 7 Concise statement of the case for the prosecution.

(Fresh Page)

- 8 List of witnesses, giving name, parentage and address.

(Fresh Page)

- 9 List of points to be proved by the prosecution to establish the offence, with serial number of witness to prove each point.

Points to be proved to establish the offence.	Serial No of witnesses.	Abstract of statement of each witness as given in the Police file.	Reference to case diaries relating to the witness's statement.	Remarks.
1	2	3	4	5

Note:—1. For column I See under "Practice Evidence" in the appropriate section in "The Law of Crimes".

Note:-2. In column 5 note anything which prosecution counsel should know, e. g., explanation for delay in witness coming forward, credibility of witness (e.g., friendship with complainant, accused, or other witnesses), possible discrepancies and explanation thereof.

(Fresh Page)

10. List of exhibits together with the explanation of any delay in the recovery of any article.

(Fresh Page)

11. Probable line of defence with reasons of investigating officer for rejecting it and suggested line of rebuttal. (Note here reasons for omission of any accused or witnesses mentioned in F.I.R.).

(Fresh Page)

12. Proceedings in Court.

Date of hearing.	What is to be done at this hearing.	What has been done at this hearing.	Remarks.
------------------	-------------------------------------	-------------------------------------	----------

PROCEEDINGS IN THE COURT OF \_\_\_\_\_  
MAGISTRATE \_\_\_\_\_ CLASS \_\_\_\_\_

Date of hearing	What is to be done on this hearing.	What has been done on this hearing.
-----------------	-------------------------------------	-------------------------------------

FORM No. 8.8 (2)

Requisition For Particulars of Previous  
Convictions. 19.....

From Superintendent.... ....  
To Superintendent.... ....  
Dated.... .... No.  
Received ... ..

Sir,

I request you will please furnish extract of previous convictions of the individual named within, certified under the hand of the Clerk of the Court or other officer having the custody of the original records, so that the said certified extract may be used as evidence under the provision of section 511, Code of Criminal Procedure.

I have, & C.,  
Superintendent of Police.

	Reverse
Name of accused	Description
Father's name.	Age.
Residence.	Description of offence with which now charged.
	Clue to former conviction.

Superintendent of Police.

## FORM No. 8.13 (V)

NAME OF PROSECUTING OFFICER.....DAILY DIARY  
OF THE COURT OF.....FOR.....

OF THE COURT OF SESSIONS

1	2	3	4	5	
Daily Serial No.	Case fixed for this day (including fresh cases) with names of accused, offence, F.I.R. No. and name of Police Station.	Date of first hearing of case	Number of witnesses summoned.	Number of witnesses attended.	
6	7	8	9	10	11
Were all witnesses served? If not, give reasons for nonservice of summons.	Number of witnesses examined.	Explanation of the case not taken up or if all the witnesses were not examined or if, in fresh cases witnesses were not present with the challan.	What proceedings were taken on this day?	Next date of hearing of cases	Remarks.

Note:—1. Each case shall be dealt with separately, and when a fresh date of hearing is fixed, the Prosecuting Officer shall immediately enter up the case under the new date and give a reference to the place in the diary when the case last came up for hearing.

Note:—2. Entries in column 8 must be confined to facts, and care must be taken to avoid any criticism of a Magistrate.

## FORM No. 8.13 (VI)—Concl'd.

Details of Cases Pending in Each Court.

1	2	3	4
Serial No.	Court	Pending from last week.	Received during week.
		Cases Persons	Cases Persons

5	6	7	8	
Received by transfer from courts. Cases Persons	Convicted Cases Persons	Discharged or Acquitted. Cases Persons	Transfer to Court. Cases Persons	
9	10	11	12	13
Pending at close of week. Cases Persons	Pending over one month. Cases Persons	Pending over 3 months. Cases Persons	Pending over 6 months. Cases Persons	Remarks

## FORM No. 8.13 (VII)

## Register of Judicial Expenses Bills

1	2	3	4	
Serial No.	Date of receipt of bill.	Name of police station submitting bill and other particulars.	Diet of witness.	
5	6	7	8	
Fare of witness.	Diet of accused.	Fare of accused.	Carriage expenses of property.	
9	10	11	12	
Carriage of dead body.	Feeding Charges of recovered cattle.	Miscellaneous	Total.	
13	14	15	16	17
Authority sanctioning the bill.	Date of hand- ing over the bills to the Nazir for payment.	Date of payment by the Nazir.	Signature of the payee and date.	Remarks.

## FORM No. 8.14 (1)

Register of Warrants of Arrest and Search and  
of Summons Received for Execution and  
Service by the Police.

Police Station .....		..... District
1	2	3
No.	Name, caste, occupation and residence of person on whom the process is to be served.	For what offence issued.

4	5	6	7	
Warrant or summons and for what purpose.	By whom issued.	Date of process.	Date of hearing of case.	
8	9	10	11	12
Steps taken by the police to carry out				Remarks
Date of receipt of process by the Police Department.	Date of endorsement and despatch and name of Police Officer to whom endorsed.	Date of execution of process.	Date of return to Court.	

## FORM No. 8.14 (2)

Police Station.....

.....District

## Register of Intermediate Orders in Cases

1	2	3	4
No.	Complainant.	Accused	Criminal Court.
5	6	7	8
Offence with No. and date of First Information Report and name of Police Station.	Intermediate Order.	Final Order.	Remarks.

## FORM No. 8.14(3)

Police Station.....

District.....

## Register of Persons on Security to be of Good Behaviour, the Names of Sureties, etc.

1	2	3	4
Serial No.	Name, father's name and caste of person required to find security.	Residence	Amount of security and of personal recognizance.
5	6	7	
Names, father's names and caste of sureties.	Residence of sureties.	Name of court which passed the order to find security, name of presiding officer, powers of the court, district in which order was passed and date of order.	

FORM No. 8.14 (4)

Police Station ..... District.....

**Register of Excise Cases Occurring During the Year 19,**  
**In Which Police Officers Have Been Directly-Concerned.**

FORM No. 8.18 (2)

## ORDER

Summons from the Court of the . for the production at....of the  
office files relating to the .....

- (a) I direct ..... to appear with the files mentioned in the summons a brief description of which is given below and to claim privilege for them under section 123 of the Evidence Act.
- (b) Having examined the documents mentioned in the summons, I withhold permission to give any evidence derived from the files for which privilege is claimed under this order.

It should be represented to the Court that these files contain unpublished official records relating to affairs of State for the purpose of section 123 and that, in view of the provisions of section 162 of the Evidence Act, the files are not open to the inspection of the Court.

Inspector General of Police.

Dated.....

The .. ....

\*Here insert a brief description of the nature of the documents summoned together with the reasons for claiming privilege, for example, the documents is a record of a C. I. D. Officer making a secret inquiry into a case of fraud and it is undesirable in the interest of the inquiry that its contents should be disclosed.

### FORM No. 8.25 (1)

#### Receipt and Despatch Register of Charge Sheet Slips and Conviction Slips Referring to Cases Included Under Rule 7.23

1	2	3		
Annual Serial No. of Charge Sheet slips or conviction slips received from other districts or from magistrates.	Date of receipt with name of the district.	Name of police station, offence with section and No. of First Information Report		
4	5	6		
Disposal of charge Sheet slip				
Date of despatch to Police Station sending up the accused for trial.	Date of return from the Police Station sending up the accused for trial.	Name, parentage and caste of the convict.		
7	8	9	10	11
Residence		Disposal of Conviction Slips		
Village. Police Station.	District.	Date of despatch to the district or Police Station in which the convict resides.	Date of return from the district or police station in which the convict resides.	
12	13	14		
Number of entry in register No. 7 Part VI of the police station in which the conviction is entered.	Date of return of conviction slip to district from which received. (The column will only be filled in where conviction slips are received from other districts).	Remarks.		

## FORM No. 8.26.

Police Station.....

..... District

**Conviction Slip of a Person Convicted in the Above  
District Who is Supposed to Reside in the Police  
Station of .... District .....**

Serial No. of charge sheet slip despatch register.

1 F.I.R. Report No .....of Police Station.....

2. Name...., son of...., alias .....

3. Caste....

4. Occupation....

5. Description ... age.....Height .. ....

Particular marks as shown in charge sheet.

6. Resident of village....Police Station . District.....

7. Brief account of offence with section and of law under which conviction was obtained and place of offence.

8. Sentence—

(i) Date of sentence.

(ii) Court of

(iii) Name of presiding officer.

(iv) District in which trial was held.

(v) Was case tried summarily or otherwise ?

9. District Serial No. of P. R. slip with descriptive roll as shown therein.

10. Remarks.

You are requested to return this statement in the event of its being discovered that the convicted person does not commonly reside in your police station or district.

Date....

Superintendent of Police.

The .....196 .....

Date of entry in the conviction register of the police station, with the signature of Clerk, Head Constable and the Serial No. of the entry ..

## FORM No 8.29

Police Station....

District.....

**Cognizable Cases Reported at a Police Station for  
The Year 19**

1	2	3
Annual Serial No. of cases reported.	Police Station No. and date of First-Information Report.	Date and place of occurrence.
4	5	6
	Complainant	

Section of Indian Penal Code or  
law offended against.

Name and parentage.

Residence.



## ACCUSED

7	8	9	10	11
Name.	Parentage.	Caste and occupation.	Residence.	Age.

## CASES

12	13	14	15
In which investigation was refused.	Number of cases proved as false by the Magistrate or declared false.	Number of cases in which a mistake of law or fact occurred or declared non-cognizable by a Magistrate.	Ending in Conviction.

## True Cases

16	17	18
Ending in discharge or acquittal.	Not detected or apprehended (cases in column 12 will not be shown)	Total of true cases (column 12+15+16+17)

## PERSONS

19	20	21	22
Persons in custody or on bail under section 170, Criminal Procedure Code, at beginning of the year.	Arrested by the police during the year.	Persons released under Section 169, Criminal Procedure Code.	Persons sent for trial.

23	24	25
Number Convicted.	Number acquitted or discharged.	Persons who had not been arrested at the end of year (only persons for whom warrants have been issued during the year will be included.

## PROPERTY

26	27	28	29
Amount of Property Stolen	Amount of Property Recovered	Reference to the entries in Register of Cognizable offences	Remarks.
in Rupees	in Rupees		

## LIST OF S.R. CASES FOR POLICE STATIONS

S. No.	List of S. R. Cases.	Office whom the report is to be sent.
1	2	3

## CHAPTER VIII

- |    |   |       |
|----|---|-------|
| 1. | Riots due to religious or political, communal or agrarian causes or illfeeling between Sects or individuals likely to lead to communal troubles or riots involving death. | S. P. |
| 2. | Cases of firing on mobs or individuals by the Police.   | .     |
| 3. | Cases involving use of force or violence by police to quell-riots or on riotous mob.  | -do-  |

## CHAPTER IX.

- |    |   |      |
|----|---|------|
| 4. | Cases U/s/161/165 IPC and U/s 5 of Prevention of Corruption Act cognate and other offences. | -do- |
|----|---|------|

## CHAPTER XI.

- |    |                                     |      |
|----|-------------------------------------|------|
| 5. | Escape from police or Jail Custody. | -do- |
|----|-------------------------------------|------|

## CHAPTER XII.

- |    |   |      |
|----|---|------|
| 6. | Manufacture of counterfeit coins and Government stamps. | -do- |
|----|---|------|

## CHAPTER XVI.

- |     |   |       |
|-----|---|-------|
| 7.  | Murder.   | -do-  |
| 8.  | Encounter with out laws by Police and RAC.  | -do-  |
| 9.  | Satti Cases and attempts for the same.  | P. S. |
| 10. | Poisoning.  | -do-  |
| 11. | Torture by police.  | -do-  |
| 12. | Assault on Government Servants on duty.   | -do-  |
| 13. | Cases of kidnapping and abduction for ransom or political purpose and kidnapping for begging. | -do-  |

## CHAPTER XVII.

- |     |   |      |
|-----|---|------|
| 14. | Theft or damage of State Government or Union Government property.   | -do- |
| 15. | Theft of Telegraph or telephone wires.  | -do- |
| 16. | Robbery.  | -do- |
| 17. | Dacoity.  | -do- |
| 18. | Defalcation or Embezzlement of Public Money including Theft of Notes or Hundies   | -do- |
| 19. | Burglaries and Theft involving property worth Rs. 2000/- or more, in the case of non-municipal area and Rs. 4000/- in the case of municipal area. | -do- |
| 20. | Theft or loss of fire-arms or explosives  | -do- |
| 21. | Forging of Currency Notes 489 A to 489 E.   | -do- |

## GENERAL

## Railway Crime

22. Murder, Rape, Robbery in Railway trains.

S. P.  
also Station  
Master

23. Railway theft involving property worth Rs.-2000/- or above.

S. P.

24. Cases of tempering with rails.

-do-

## Other Acts.

25. Air Crafts or serious railway or bus accidents,

-do-  
also to nearest  
authority con-  
cerned and  
transport au-  
thority.

26. Desertion of police and RAC with fire-arms.

S.P.

27. Recovery of pirate Wireless Sets.

-do-

28. Industrial strikes or hunger strikes or strikes by body of persons.

-do-

29. Agrarian unrest likely to cause disturbance.

-do-

30. Important happenings which are of interest to Government and public.

-do-

31. All Indo-Pak border incidents and incursions by Pak Police or Military.

-do-

32. Death of Prisoners in police custody.

-do-

33. Arrest or surrender of dacoits

-do-

34. Calamities such of floods or earthquakes which cause serious damage to life or property.

-do-

35. Any offence whether trivial or serious committed by a member of organised gang of dacoits.

-do-

## List of Cases in which S. Rs. are to be sent by the Ss. P.

Others to whom sent.

3

S. No.

List of S. R. cases

2

## CHAPTER VIII

1. Riots involving loss of life, and serious breach of peace or agrarian (means those agrarian riots resulting in murder organised or instigated by political parties) communal, religious or political.
2. Cases of firing by police on civilians or mob and use of force to disperse unlawful assembly of riotous mob.

## CHAPTER IX

3. Offences U/s 161/165 IPC Sec, 5 Prevention of Corruption Act and other cognate offences

## CHAPTER XI

4. Escape of prisoners from Police & Jail custody

## CHAPTER XII

5. Counterfeiting of coins and forging of stamps and G. C. Notes.

## CHAPTER XVI

6. Murder for gain, agrarian, political, religious and communal or of policeman or of Government servant.
7. Encounter with out-laws by police or R.A C.

D.M.

Government

D. I. G. P.

C. I. D.

D. I. G. P.

Range.

—do—

—do—

—do—

Concerned  
Deptt.

Additional I. G. P. and D.M.

—do—

(notorious out-  
laws only)

D.M.

D.I.G.P.

Range D.I.G. CID

and

D. M.

—do— D.I.G. CID.

and

D. M. and  
Deptt. concerned  
political & Com-  
munal reasons only).

—do— D.I.G.P. CID.

and D. M.

Government (with

notorious out-laws

only)

D.I.G.

CID.

Range

8. Satti cases or attempt for the same.
9. Cases torture by police.
10. Assault on Government servant on duty.

-do- -do- and D. M.  
D.I.G. D.I.G. C.I.D. and D. M.  
Range

and D. M.

-do- -do- Government (on  
(all assaults) (all assaults on V. I. Ps. and  
Police) Government ser-  
vants).

assault on other drawing pay  
Govt. servants of Rs. 500/-  
involving murder and above.  
or grievous hurt  
only and  
assault on Govt.  
servants drawing  
pay of Rs 500/-  
or above.

and D. M.

Government (for  
ransom by notorious  
out-laws only).

and D. M.

and D. M.

and D. M.

Government (by  
organised gangs  
armed with fire-  
arms with breach-

D. I. G. P. D. I. G. P. CID.  
Range

11. Cases of kidnapping or abduction for ransom  
or, political purpose, and kidnapping for  
begging.

### CHAPTER XVII

12. Loss or theft of fire-arms including revolvers  
and pistols but not M. L. guns and country-  
made Tamanchas.
13. Theft of telephone and telegraph wires.

-do- -do-

D. I. G. P. D. I. G. P.  
Range C. I. D.  
-do-

14. Robbery—  
(a) Involving Rs. 10,000/- or over or by  
person armed with breach-loading fire-  
arms, pistols or revolvers explosive or

# Rajasthan Police Rules

by organised gangs armed with fire-arms or mailrobbery or professional highway robbery.		ing fire-arms pistols, revolvers or explosives or Mail robberies or professional high-way robbery).	and D. M.
15. Air crafts or serious railway accidents.	-do-	Government and D. M.	and D. M.
16. Desertion of Police and R.A.C. with firearms.	-do-	and D. M.	
17. Recovery of pirate wireless sets.	-do-	Government (important industrial strikes only).	and D. M.
18. Important industrial strikes or hunger strikes by body of persons.	D.I.G.P. D.T.G.P. CID. Range	Government	-do-
19. Incidents likely to result or resulting in serious communal trouble.	-do-	-do-	-do-
20. Hunger strikes likely to result in tension amongst the public and disturbance of public peace.	-do-	(serious border incidents by quickest means,	
21. All Indo-Pak border incidents including Pak incursions.	-do-	(b) efforts made for recoveries and restoration in serious and minor incidents both to Govt. and Ministry of External Affairs.	

D.I.G.P. D. I. G. P. C. I. D. and D. M.

and D. M.

Range -do-

22. Death of prisoners in police custody.

23. Arrest or surrender of dacoits.

2

3

24. Any offense whether trivial or serious committed by a member of organised gang of dacoits.

25. All dacoities.

26. Embezzlement cases of public money involving Rs. 20/- or more.

27. Burglaries involving property worth Rs. 10,000/- or above in Municipal area and Rs. 5000/- or above in non-municipal area

28. Railways crime—

Railway theft involving property worth Rs. 2000/- and over.

29. Cases of tempering with rails.

30. Murder, rape, robbery in the railway train.

31. Calamities such as floods or earthquakes which cause serious damage to life or property,

32. Incidents likely to result or resulting in disturbance of public tranquility

33. Any serious crime in the District which has widespread repercussions amongst the public and is likely to disturb faith of the general public in the capability of the local administration to administer the affairs of the Government.

and D.M.

and D.M.

Government (only by organised gangs and with fire-arms).

and D.M.

Government (Finance Deptt, only).

and D.M.

and D.M.

D. I. G. P. CID.

and D.M. Government (mail robbery only). Government,

and D.M.

and D.M.

and D.M.

and D.M.

*Notifications under*

**POLICE ACT, 1861.**

*Published in Raj. Raj-patra Vol. 2 No. 98 Dated 30-12-50 part I at page 719:*

Police Department

**NOTIFICATION.**

Jaipur, December 20, 1950.

*No. F 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861), of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the following Towns in the Bikaner Division, namely:—

1. Churu.
2. Ratangarh.
3. Sujangarh.
4. Rajgarh, and
5. Sardarshahar.

By Order of

His Highness the Raj Pramukh,  
K. RADHAKRISHNAN,  
Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 part I at page 939-940.*

Police Department.

**NOTIFICATION.**

Jaipur, February 8, 1951.

*No. F. I (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan are pleased to extend section 34 of the said Act to the towns of Rajasthan specified in the schedule hereto annexed.

By Order of

His Highness the Rajpramukh,  
BHAJANLAL CHATURVEDI,  
Home Secretary to the  
Government of Rajasthan  
Police Department.

The Schedule of towns in which Section 34 of the  
Police Act V, 1861, is required.

Jaipur Division.	1. Jaipur	Jaipur Division.	10. Malpura
	2. Sanganer		11. Aligarh
	3. Dausa		12. Sawai Madhopur
	4. Shahpura		13. Karauli
	5. Phulera		14. Hindaun
	6. Kishangarh		15. Gangapur
	7. Sambhar		16. Bharatpur
	8. Tonk		17. Bhusawar
	9. Uniara		18. Bayana



19. Weir
20. Rupbas
21. Dholpur
22. Bari
23. Deeg
24. Kaman
25. Alwar
26. Rajgarh
27. Behror
28. Tijara
29. Jhunjhunu

30. Pilani
31. Khetri
32. Udaipur
33. Sikar
34. Danta Ramgarh
35. Losal
36. Nim-ka-Thana
37. Khandela
38. Ramgarh
39. Fatehpur

Bikaner

1. Bikaner
2. Ganganagar
3. Karanpur

- Bikaner Division.
4. Raisinghnagar
  5. Sadulgarh
  6. Nohar

Jodhpur  
Division.

1. Jodhpur
2. Phalodi
3. Barmer
4. Balotra
5. Jalor
6. Bhinmal
7. Pali
8. Sojat
9. Bali

- Jodhpur Division.
10. Jaitaran
  11. Nagaur
  12. Didwana
  13. Parbatsar
  14. Merta
  15. Jaisalmer
  16. Bap
  17. Sirchi

Udaipur  
Division.

1. Udaipur
2. Kanor
3. Rikhabdeo
4. Rajsamand
5. Bhinder
6. Bhim
7. Sewana
8. Sarada
9. Unthala
10. Nathdwara
11. Dungarpur
12. Banswara
13. Kushalgarh
14. Chittorgarh
15. Begun

- Udaipur Division.
16. Kapasin
  17. Nimbahera
  18. Chotisadri
  19. Bari Sadri
  20. Pratapgarh
  21. Bhilwara
  22. Gulabpura
  23. Badnore
  24. Hurda
  25. Jhazpura
  26. Shahpura
  27. Gangapur
  28. Mandalgarh
  29. Banera

Kotah  
Division.

1. Kotah
2. Chechat
3. Chhabra
4. Sironj
5. Bhimganjmandi

- Kotah Division.
6. Bundi
  7. Nainwan
  8. Jhalawar
  9. Aklera

*Published in Raj. Raj-patra Dated February 28, 1953 part I at page 1061.*

Home Department.

NOTIFICATION.

Jaipur, February 19, 1953.

*No. F. 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861), of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to Kankroli Town in Udaipur Division.

B. G. RAO,

Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated December 6, 1952 part I at page 862.*

Home Department.

NOTIFICATION.

Jaipur, November 28, 1952.

*No. F. 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the following towns of Rajasthan:—

(1) Basin

(2) Raja Khera

(3) Baran

(4) Deogarh

} Jaipur Division.

Kotah Division.

Udaipur Division.

By Order of

His Highness the Rajpramukh,

S. W. SHIVESHWARKAR,

Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated June 20, 1957 part IV (c) at page 160:*

Home 'A' Department

NOTIFICATION

Jaipur, May 24, 1957.

*No. F. 1 (373) Police/I (50).*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Bhawanimandi town (in Jhalawar District) with effect from the date of publication of this Notification.

By Order

MOHAN MUKERJI

Home Secretary to the Government.

*Published in Raj. Raj-patra Dated October 17, 1957 part IV (c) at page 536*

Home (A) Department

### NOTIFICATION

Jaipur, September 30, 1957.

*No. F. 1 (373) Police I (50).*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Mandi Gajsinghpur in Ganganagar district with effect from the date of publication of this Notification.

By Order,

SAMPAT MAL BHANDARI,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated December 11, 1958. part IV (c) at page 1254.*

Home (A) Department

### NOTIFICATION

Jaipur, November 29, 1958.

*No. F. 1 (373) Police (I)/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (Act V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Ramganj Mandi town (in Kotah District) with effect from the date of publication of this notification.

By Order,

C. S. GUPTA,  
Home Secretary to Government.

*Notifications under*

**POLICE ACT, 1861**

*Published in Raj. Rajpatra part VI (c) dated January 22, 1959 at page 1233*

**Home (A) Department**

**NOTIFICATION**

**Jaipur, January 9, 1959.**

**No. F. 1 (373) Police (1)/5.**—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (Act V of 1861) of the Central Legislative as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act within the limit of Mandi Padampur (in Ganganagar District) with effect from the date of publication of this notification.

**By Order,**

**C. S. GUPTA,**

**Home Secretary to the Government.**

*Published in Raj. Rajpatra part IV (c) dated February 19, 1959 at page 1440*

**Home 'A' Department**

**NOTIFICATION**

**Jaipur, January 30, 1959.**

**No. F. 1 (373) Police (1)/50.**—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (Act V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Pirawa town (in Jhalawar District) with effect from the date of publication of this notification.

**By Order,**

**C. S. GUPTA,**

**Home Secretary to Government.**

*Published in Raj. Raj-patra part IV (c) dated July 3, 1959 at page 408*

**Home 'A' Department**

**NOTIFICATION**

**Jaipur, July 7, 1959.**

**No. F 1 (373) Blice./1/50.**—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (Act V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Bhadra Town (District Ganganagar) w. e. f. the date of publication of this notification.

**By Order,**

**Z. S. JHALA,**

**Secretary to the Government**

*Published in Raj. Raj-patra part IV (c) dated November 19, 1959 at page 870*

## Home 'A' Department

### ORDER

Jaipur, October 1, 1959.

No. D. 9384/F. 15/9(9) Home (A)/59.—Whereas under Government of India, Ministry of Home Affairs, Order No. 56/6/46-Police, dated the 1st October, 1946, made under sub-section (1) of section 5 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the powers and jurisdiction of the members of the Delhi Special Police Establishment extend to the area within the State of Rajasthan for the investigation of offences or class of offences specified in Government of India, Ministry of Home Affairs, Notification No. 7/5/55-AVD, dated the 6th November, 1956, as amended from time to time issued under section 3 of the said Act;

And whereas under sub-section (2) of the said section 5, a member of the said police establishment, while discharging the functions of a police officer in the said area is to be deemed to be a member of the police force of the said area and be vested with the powers, functions and privileges and be subject to the liabilities of a police officer belonging to the police force of the said area;

Now, therefore in exercise of the powers conferred by section 4 of the Police Act, 1861 (Central Act No. V of 1861), as adopted by the pre-reorganisation State of Rajasthan by the Rajasthan Adaptation of Central Laws Ordinance, 1950 (Ordinance IV of 1950),

Section 4 of the Police Act, 1861 (Central Act V of 1861) as extended to Ajmer area,

Section 6 of the Bombay Police Act, 1951 (Bombay Act No. XXII of 1951), as in force in Abu area, and

Section 4 of the Madhya Bharat Police Act, Samvat 2007 (Act No. 76 of 1950), as in force in Sunel area, the Government of Rajasthan hereby directs that whenever a member of the Delhi Special Police Establishment of or above the rank of Sub-Inspector, investigates at any place in the said area, any offence specified in Government of India, Ministry of Home Affairs, Notification No. 7/5/55-AVD, dated the 6th November, 1956, as amended from time to time issued under section 3 of the Delhi Special Police Establishment Act, 1946, he shall be deemed to be an officer in charge of the Police Station within the limits of which such place is situated.

By Order of the Government,

Z. S. JHALA,

Home Secretary to the Government  
of Rajasthan.

*Published in Raj. Raj-patra part IV (c) dated January 21, 1960 at page 113*

Home (A) Department  
NOTIFICATION

Jaipur, November 21, 1959.

*No. F. 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Police Act, 1861 (Act V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Ladnun Town (District Nagaur) with effect from the date of publication of this notification.

By Order,  
D. P. SHARMA,

Dy. Secretary to the Government.

*Published in Raj. Raj-patra part I (b)*

Home 'A' Department  
NOTIFICATION

Jaipur, July 27, 1960.

*No. F. 1 (373) Police I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Indian Police Act, 1861 (Act No. V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Ladnu Town (District Nagaur) with effect from the date of publication of this Notification.

*Published in Raj. Raj-patra part IV (c) dated October 27, 1960 at page 421*

Home 'E' Department  
ORDER

Jaipur, September 16, 1960.

*No. D-3617/59/F. 4/1 (13) HE-II/57.*—In pursuance of the power conferred by section 2 of the Police Act, 1861 (Central Act 5 of 1861), as in force in the State of Rajasthan, the State Government hereby orders that the Police Radio (Wireless) Organisation shall, with immediate effect, form part of the Police establishment under the State Government and shall consist of the following officers and men, namely;—

- |  |        |
|--|--------|
| (a) Superintendent of Police.  | 1      |
| (b) Deputy Superintendent of Police  | 1      |
| (c) Inspector.   | 1      |
| (d) Sub-Inspectors.  | 42     |
| (e) Assistant Sub-Inspectors.  | 286    |
| (f) Constables.  | 94 and |
| (g) Such other number of officers and men of the said organisation, as the State Government may, hereafter from time to time, specify. |        |

By Order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated November 17, 1960 at page 452*

Home (A) Department

NOTIFICATION

Jaipur, September 22, 1960,

*No. F. 1 (373) Police-1/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Indian Police Act, 1861 (Act No. V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Dungargarh town, District Churu with effect from the date of publication of this notification.

By Order,

J. S. JHALA,

Home Secretary to Government.

*Notifications under*

**Indian Police Act, 1861**

*Published in Raj. Raj-patra part I (b) dated September 14, 1961 at page 222*

Home 'A' Department

**NOTIFICATION**

Jaipur, July 27, 1961.

*No. F. 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Indian Police Act, 1861 (Act No. V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Chhoti Sadri Town (District Chittorgarh) with effect from the date of publication of this notification.

By Order,

D. N. HANDA,

Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated September 21, 1961 at page 225*

Home 'A' Department

**NOTIFICATIONS**

Jaipur, September 6, 1961.

*No. F. 1 (373) Police-I/50.*—In exercise of the powers conferred by sub-section (1) of section 46 of the Indian Police Act, 1861 (Act No. V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of Phalodi Town (District Jodhpur) with effect from the date of publication of this notification.

By Order,

D. N. HANDA,

Home Secretary to Government.

*Published in Raj. Raj-patra part IV (c) dated November 61, 1961 at 462*

Home 'A' Department

**NOTIFICATION**

Jaipur, October 31, 1961.

*No. F. 1/(373) Police-I/50.*—In exercise of powers conferred by sub section (1) of section 46 of the Indian Police Act, 1861 (Act No. V of 1861) of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan is pleased to extend section 34 of the said Act to the Municipal area of the following Towns of



Jaipur District with effect from the date of publication of this notification:—

(1) Sambhar.

(6) Phulora.

(2) Dausa.

(7) Bandikui.

(3) Kotputli.

(4) Amber.

(5) Chaksu.

By Order,  
Z. S. JHALA,  
Secretary to Government.

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*Rules and Notifications under*

POLICE FORCES ( RESTRICTION OF RIGHTS )  
ACT, 1966.

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*Notification under*

**POLICE FORCES (RESTRICTION OF RIGHTS) ACT, 1966**

Home 'E' Department

Jaipur, December 21, 1966.

Notification No. F. 16 (1) (84) HE. II/66—In exercise of the powers under clause (b) of sub-section (3) of Section I of the Police Forces (Restriction of Rights) Act, 1966 (Central Act 33 of 1966) the Governor has been pleased to order that the Police Forces (Restriction of Rights) Act, 1966 (Central Act 33 of 1966) shall come into force in the State of Rajasthan with immediate effect.

[ Pub. in Raj. Gaz. Ex. 4 [Ga] Dt. 21-12-66 ]

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*Rules and Notifications under*

POWERS OF ATTORNEY ACT, 1882.  
( CENTRAL ACT No. 7 OF 1882 ).

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## Rules Under Powers of Attorneys Act, 1882.

*Published in Raj. Raj-patra part IV (c) dated November 17, 1960 at page*

*Jaipur, November 17, 1960.*

These rules shall be added as Chapter XXXIA after Chapter XXXI in the Rajasthan High Court Rules 1952 :—

### RULES

Rules framed under clause (e) of section 4 of the powers of Attorney Act, 1882 (Act No. VII of 1882) and the fees to be taken under clause (a), (b) and (c) of the said section.

*798 A. Presentation of petition to the Registrar.*—An application to deposit a power of attorney must be made by a petition signed by the applicant which must be presented to the Registrar, either by the petitioner in person or by an Advocate of the High court.

*798 B. Execution of Power Attorney under section 4, clause (a) of Powers of Attorney Act.*—The power of attorney the execution of which shall be verified in accordance with the provisions of section 4, clause (a) of the Powers of Attorney Act, 1882 must be annexed to such petition and will be received for deposit on the Court being satisfied as to its due execution but the Court may, before making an order for its deposit, require further evidence of such execution.

*798 C. Receipt given on an order for deposit being made.*—On an order for deposit being made the power of attorney will be placed on the file of instruments deposited under the said Act and a receipt given for it

*798 D. Payment of fees for inspection or certified copies of the instrument so deposited.*—Any person desiring to inspect an instrument so deposited or to obtain a certified copy or to have a copy certified must pay the fees prescribed in the Table of Fees.

### TABLE OF FEES.

	Rs.	nP.
1. For application to deposit a power of attorney	1.	00.

2.	For filing a power of attorney	2.	00.
3.	For application for search.	1.	00.
4.	For a certified copy or for authentication of a copy presented as under:—		
(a)	For copying or comparing per folio of 90 words	0.	50.
(b)	Sealing.	2.	00.

By Order.  
C. JACOE  
Registrar.

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*Rules and Notifications under*

PREMISES (CONTROL OF RENT & EVICTION) ACT, 1950.  
( RAJ. ACT No. 17 OF 1950 )

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5. (1) Whenever the Government decides to act under subsection (4) of section 22, either on its own motion or on an application presented in accordance with rule 4, it may appoint an officer or a number of officers of Government, not exceeding three, to hear the case at such time and place as may be specified, after giving notice to the parties and to submit his or their recommendations in the case to the Government.

(2) The orders of the Government on such recommendations shall be final and not liable to review.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
*Chief Secretary to Government.*



**NOTIFICATIONS UNDER**  
**PREMISES (CONTROL OF RENT AND EVICTION) ACT,**  
**GOVERNMENT OF RAJASTHAN**  
 General Administration Department.  
**NOTIFICATION.**

*Jaipur, December 21, 1950.*

No. F. 24 (24) G. A. (B.)/50. In exercise of the power conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the cities and towns of Rajasthan indicated in the Schedule annexed hereto with effect from the date of the publication of this order in the Rajasthan Gazette.

By Order of  
 His Highness the Raj Pramukh,  
**V. R. ADIGE,**  
*Additional Secretary.*

**THE SCHEDULE**

<i>S No.</i>	<i>Name of city or town.</i>	<i>District in which situate.</i>	<i>Division.</i>
1	2	3	4
1	Banswara	Banswara	Udaipur
2	Bhilwara	Bhilwara	-do-
3	Bhindar	Udaipur	-do-
4	Chittorgarh	Chittor	-do-
5	Dungarpur	Dungarpur	-do-
6	Nathdwara	Udaipur	-do-
7	Nimbaheda	Chittor	-do-
8	Pratapgarh	Chittor	-do-
9	Sahpura	Bhilwara	-do-
10	Udaipur City	Udaipur	-do-
11	Alwar City	Alwar	Jaipur
12	Amber	Jaipur	-do-
13	Bayana	Bharatpur	-do-
14	Bharatpur City	Bharatpur	-do-
15	Bhusawar	Bharatpur	-do-
16	Chirawa	Jhunjhunu	-do-
17	Dausa	Jaipur	-do-
18	Deeg	Bharatpur	-do-
19	Dholpur	Bharatpur	-do-
20	Jaipur City	Jaipur	Jaipur
21	Jhunjhunu	Jhunjhunu	-do-
22	Kaman	Bharatpur	-do-
23	Karauli	Sawai Madhopur	-do-
24	Khetri	Jhunjhunu	-do-
25	Kishangarh	Jaipur	-do-
26	Malpura	Tonk	-do-
27	Newai	Tonk	-do-

28	Sambhar	Jaipur	-do-
29	Sawai Madhopur	Sawai Madhopur	-do-
30	Sikar	Sikar	-do-
31	Singhana	Jhunjhunu	-do-
32	Tijara	Alwar	-do-
33	Tonk City	Tonk	-do-
34	Weir	Bharatpur	-do-
35	Bikaner City	Bikaner	Bikaner
36	Churu	Churu	-do-
37	Ganganagar	Ganganagar	-do-
38	Ratangarh	Churu	-do-
39	Sadulgarh	Ganganagar	-do-
	(Hanunangarh)		
40	Baran	Kotah	Kotah
41	Brijnagar (Jhalawar)	Jhalawar	-do-
42	Bundi City	Bundi	-do-
43	Chhabra	Kotah	-do-
44	Jhalrapatan	Jhalawar	-do-
45	Kotah City	Kotah	-do-
46	Lakheri	Bundi	-do-
47	Ramganjmandi	Kotah	-do-
48	Sangod	Kotah	-do-
49	Sironj	Kotah	-do-
50	Barmer	Barmer	Jodhpur
51	Jaisalmer	Jaisalmer	-do-
52	Jalore	Jalore	-do-
53	Jodhpur City	Jodhpur	-do-
54	Nagaur	Nagaur	-do-
55	Pali	Pali	-do-
56	Sirohi	Sirohi	-do-

*Published in Raj. Raj-patra Vol. 3 No. 73 Dated 4-8-51 Part I :*

*Jaipur, July 21, 1951.*

No. F. 25 (4) (3) Police III/51.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950) the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Bhawani Mandi (Kotah) with effect from the date of publication of this order in the Rajasthan Gazette.

By Order of  
His Highness the Rajpramukh,  
BHAJAN LAL CHATURVEDI,  
Secretary to Government,  
Home Department.

GOVERNMENT OF RAJASTHAN  
General Administration Department  
NOTIFICATION.

*Jaipur, February 16, 1951.*

No. F. 24 (5) I/G.A. (B) 51.—In exercise of the powers conferred by clause (i) of section 3 and sub section (3) of section 22 of the Rajasthan Premises (Control of Rent and and Eviction) Act, 1950, the Government of Rajasthan is pleased to

direct that, for the cities and towns specified in column 2 of the table hereto annexed [to which cities and towns the provisions of the said Act have been extended vide Notification No : F. 24 (24) G. A. (B) 50, dated December 21, 1950, in the General Administration Department], the officers specified in columns 3 and 4 of the said table shall respectively, act by virtue of their office, as Controllers and Appellate authorities for the purposes of the said Act.

TABLE.

S. No.	Name of City or Town.	Officer appointed to act as Controller.	Officer appointed to act as Appellate authority.
1	2	3	4
UDAIPUR DIVISION.			
1.	Banswara	Extra Magistrate, Banswara.	District Magistrate, Banswara.
2.	Bhilwara	Extra Magistrate, Bhilwara.	District Magistrate, Bhilwara.
3.	Bhindar	Sub-Divisional Officer, Vallabhnagar.	District Magistrate, Udaipur.
4.	Shahpura	Sub Divisional Officer, Shahpura.	District Magistrate, Bhilwara.
5.	Chittorgarh	Sub-Divisional Officer, Chittorgarh.	District Magistrate, Chittorgarh.
6.	Pratapgarh	Sub-Divisional Officer, Pratapgarh.	District Magistrate, Chittorgarh.
7.	Nimbahera	Extra Magistrate, Nimbahera.	District Magistrate, Chittorgarh.
8.	Dungarpur	Extra Magistrate, Dungarpur.	District Magistrate, Dungarpur.
9.	Nathdwara	Extra Magistrate, Nathdwara	District Magistrate, Udaipur.
JAIPUR DIVISION.			
10.	Alwar City	Extra Magistrate, Alwar.	District Magistrate, Alwar.
11.	Amber	Sub-Divisional Officer, Amber.	District Magistrate, Jaipur.
12.	Dausa	Extra Magistrate, Dausa.	District Magistrate, Jaipur.
13.	Kishangarh	Extra Magistrate, Kishangarh.	District Magistrate, Jaipur.
14.	Tijara	Sub-Divisional Officer, Tijara.	District Magistrate, Alwar.
15.	Sambhar	Sub-Divisional Officer, Sambhar.	District Magistrate, Jaipur.
16.	Bhusawar	Sub-Divisional Officer, Bayana.	District Magistrate, Bharatpur.
17.	Bayana	Sub-Divisional Officer, Bayana.	District Magistrate, Bharatpur.
18.	Weir	Sub Divisional Officer, Bayana.	District Magistrate, Bharatpur.

JAIPUR DIVISION—*Contd.*

19. Bharatpur City	Extra Magistrate, Bharatpur.	District Magistrate, Bharatpur.
20. Deeg	Sub-Divisional Officer, Deeg.	District Magistrate, Bharatpur.
21. Kaman	Sub-Divisional Officer, Deeg.	District Magistrate, Bharatpur.
22. Dholpur	Extra Magistrate, Dholpur.	District Magistrate, Bharatpur.
23. Chirawa	Extra Magistrate, Chirawa.	District Magistrate, Jhunjhunu.
24. Khetri	Sub-Divisional Officer, Khetri.	District Magistrate, Jhunjhunu.
25. Jhunjhunu	Extra Magistrate, Jhunjhunu.	District Magistrate, Jhunjhunu.
26. Singhana	Sub-Divisional Officer, Khetri.	District Magistrate, Jhunjhunu.
27. Karauli	Extra Magistrate, Karauli.	District Magistrate, Sawai Madhopur.
28. Sawai Madhopur	Sub-Divisional Officer, Sawai Madhopur.	District Magistrate, Sawai Madhopur.
29. Malpura	Sub-Divisional Officer, Malpura.	District Magistrate, Tonk.
30. Newai	Sub-Divisional Officer, Tonk.	District Magistrate, Tonk.
31. Tonk City	Extra Magistrate, Tonk.	District Magistrate, Tonk.
32. Sikar	Extra Magistrate, Sikar.	District Magistrate, Sikar.

## BIKANER DIVISION.

33. Bikaner City	City Magistrate, Bikaner.	District Magistrate, Bikaner.
34. Churu	Extra Magistrate, Churu.	District Magistrate, Churu.
35. Ratangarh	Sub-Divisional Officer, Ratangarh.	District Magistrate, Churu.
36. Ganganagar	Extra Magistrate, Ganganagar.	District Magistrate, Ganganagar.
37. Sadulgarh	Sub-Divisional Officer, Sadulgarh.	District Magistrate, Ganganagar.

## KOTAH DIVISION.

38. Baran	Sub-Divisional Officer, Baran.	District Magistrate, Kotah.
39. Chhabra	Sub-Divisional Officer, Chhabra.	District Magistrate, Kotah.
40. Kotah City	Extra Magistrate, Kotah City.	District Magistrate, Kotah.

41. Ramganj Mandi	Sub-Divisional Officer, Chechat.	District Magistrate, Kotah.
42. Sangod	Sub-Divisional Officer, Chechat.	District Magistrate, Kotah.
43. Sironj	Sub-Divisional Officer, Sironj.	District Magistrate, Kotah.
44. Brijnagar	Sub-Divisional Officer, Jhalawar.	District Magistrate, Jhalawar.
45. Jhalrapatan	Sub-Divisional Officer, Jhalawar.	District Magistrate, Jhalawar.
46. Bundi City	City Magistrate, Bundi.	District Magistrate, Bundi.
47. Lakheri	Sub-Divisional Officer, Nainwan.	District Magistrate, Bundi.

## JODHPUR DIVISION.

48. Barmer	Extra Magistrate, Barmer.	District Magistrate, Barmer.
49. Jaisalmer	Extra Magistrate, Jaisalmer.	District Magistrate, Jaisalmer.
50. Jalore	Extra Magistrate, Jalore.	District Magistrate, Jalore.
51. Jodhpur City	Extra Magistrate, Jodhpur City.	District Magistrate, Jodhpur.
52. Nagore	Extra Magistrate, Nagore.	District Magistrate, Nagore.
53. Pali	Extra Magistrate, Pali.	District Magistrate, Pali.
54. Sirohi	Sub-Divisional Officer, Sirohi.	District Magistrate, Sirohi.

Jaipur, February 16, 1951.

No. F. 24 (5) II/G. A. (B) 51.—In exercise of the powers conferred by clause (i) of section 3 and sub-section (3) of section 22 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950, the Government of Rajasthan is pleased to direct that, for the cities and towns specified in column 2 of the table hereto annexed [ to which cities the provisions of the said Act have been extended *vide* Notification No : F. 24 (24) G. A. (B) 50, dated December 21, 1950, in the General Administration Department ], the officers specified in columns 3 and 4 of the said table shall, respectively, act as Controllers and Appellate authorities for the purposes of the said Act.

## TABLE.

S. No.	Name of City or Town.	Officer appointed to act as Controller.	Officer appointed to act as Appellate authority.
1	2	3	4
1. Udaipur City	Shri Abdul Munim Khan.		District Magistrate, Udaipur.
2. Jaipur City	1. Shri Jai Singh 2. Shri Kalyan Narain 3. Shri Maharaj Singh.	} District Magistrate, Jaipur.	

By order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary  
to the Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 3 No. 99 Dated 13-10-51 Part I at page 619 :*

*Jaipur, October 4, 1951.*

*No. F. 29 (4) (1)-Police-III/51.*—In exercise of the powers conferred by sub-section (1) of section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the remaining provisions of the said Act to the town of Bari (Jaipur) with effect from the date of publication of this Notification in the Rajasthan Gazette.

*Jaipur, October 4, 1951.*

*No. F. 25 (4) (2) Police-III/51.*—In exercise of the powers conferred by sub-section (1) of section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the remaining provisions of the said Act to the town of Gangapur (Jaipur) with effect from the date of publication of this Notification in the Rajasthan Gazette.

*Jaipur, October 4, 1951.*

*No. F. 25 (5) (1) Police-III/51.*—In exercise of the powers conferred by clause (1) of section 3 and sub-section (3) of section 22 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to direct that for the towns specified in Column 2 of the following table [to which towns provisions of the said Act have been extended vide Notification No. F. 25 (4) (3) Police-III/51, dated 21-7-51, F. 25 (4) (1) Police-III/51, dated.....September, 1951, and No. F. 25 (4) (2) Police-III 14/51, dated September.....1951] the officers specified in columns 3 and 4 of the said table shall respectively act by virtue of their office, as Controllers and Appellate Authorities for the purposes of the said Act.

TABLE.

<i>S. No. Name of town.</i>	<i>Officer appointed to act as Controller.</i>	<i>Officer appointed to act as Appellate Authority.</i>
1 Bhawani Mandi (Kotah Dn.)	Extra Magistrate 1st Class Bhawani Mandi.	District Magistrate, Jhalawar.
2 Bari (Jaipur Dn.)	Extra Magistrate for Bari (Dholpur).	District Magistrate, Bharatpur.
3 Gangapur (Jaipur Dn.)	S. D. O., Gangapur.	District Magistrate, Sawai Madhopur.

By Order of  
His Highness the Rajpramukh.  
BHAJANLAL CHATURVEDI,  
Secretary to the Government.

*Published in Raj. Raj-patra Vol. 3 No. 142 Dated 19-1-52 Part I at page 890:*

HOME DEPARTMENT.

NOTIFICATION.

*Jaipur, January 8/9, 1952.*

*No. F. 25 (4) (8) Home II/51.*—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No.

XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Rajgarh (Alwar) with effect from the date of publication of this order in the Rajasthan Gazette.

By Order of  
His Highness the Rajpramukh,  
BHAJANLAL CHATURVEDI,  
Secretary to the Government

*Published in Raj. Raj-patra Vol. 3 No. 164 Dated 1-3-52 Part I at page 1102 :*

### HOME DEPARTMENT.

#### NOTIFICATIONS.

*Jaipur, February 22/26, 1952.*

No. F-25 (4) (7) Home-II/51.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Hindaun (Jaipur Division) with effect from the date of publication of this order in the Rajasthan Gazette.

*Jaipur, February 22/26, 1952.*

No. F-25 (5) (1)/Police-III/51.—In exercise of the powers conferred by clause (i) of section 3 and sub-section (3) of section 32 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to appoint for the town specified in column 2 of the following table (to which town provisions of the said Act have been extended vide Notification No. F. 25 (4)/Home. II/51, dated 8-1-52) the officers specified in columns 3 and 4 of the said table to the respectively, by virtue of their office, Controller and appellate Authority for the purpose of the said Act:—

TABLE.

S. No.	Name of town.	Officer appointed to act as Controller.	Officer appointed to act as Appellate Authority.
1	2	3	4
1	Rajgarh District Alwar Division Jaipur.	Extra Magistrate First Class, Rajgarh.	District Magistrate, Alwar.

By Order of  
His Highness the Rajpramukh,  
BHAJAN LAL CHATURVEDI  
Secretary to the Government.

*Published in Raj. Raj-patra Vol. 4 No. 27 Dated 26-4-52 Part I at page 82 :*

### HOME DEPARTMENT.

#### NOTIFICATION.

*Jaipur, April 15, 1952.*

No. F. 25 (5) (1) Home-II/52.—In exercise of the powers conferred by clause (i) of section 3 and sub-section (3) of section 22 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to appoint for the town specified in column 2 of the following table (to which town provisions of the said Act have been extended vide Notification No. F. 25 (4) (7) Home-II/1952, dated 2-2-1952) the officers specified in columns 3 and 4

of the said table to be respectively; by virtue of their office, Controller and Appellate Authority for the purposes of the said Act:—

### TABLE.

S. No.	Name of town.	Officer appointed to act as Controller.	Officer appointed to act as Appellate Authority.
1	2	3	4
1.	Hindaun. District Sawai-Madhampur, Jaipur Division.	Extra Magistrate First Class Hindaun.	District Magistrate, Sawai-Madhampur.

By Order of  
His Highness the Rajpramukh  
BHAJANLAL CHATURVEDI,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Vol. 4 No. 50 Dated 24-5-52 at page 174 :*

### HOME DEPARTMENT.

#### NOTIFICATION.

*Jaipur, May 16, 1952.*

No. F. 25 (5) (3)/Home-II/51.—In exercise of the powers conferred by sub-section (3) of section 22 of the Rajasthan Premises (Control of rent and Eviction) Act, 1950 (No. XVII of 1950) and in supersession of this Department notification No. F. 25 (5) (3) Police III/51 dated the 13th July. 1951, the Government of Rajasthan is pleased to order that the Additional District Magistrate, Jaipur shall be Additional Appellate Authority for the purpose of the said act in respect of such cases as may be made over to him from time to time by the District Magistrate Jaipur.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Vol. 4 No. 66 Dated 28-6-52 at page 99 :*

### HOME DEPARTMENT.

#### NOTIFICATION.

*Jaipur, June 9/10, 1952.*

No. F. 11 (2)/Home-II/52.—In exercise of the powers conferred by clause (1) of section 3 and sub-section (3) of section 22 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 as amended by Act IX of 1952 and in supersession of Notification No. F. 24 (5)/II/G. A. (B)/51, dated the 16th February, 1951 issued from the General Administration Department, the Government of Rajasthan is pleased to direct that, for the cities and towns specified in column 2 of the table hereto annexed (to which cities the provisions of the said act have been extended *vide* Notification No. F. 24 (24) G. A. (B)/50, dated December 21, 1950, in the General Administration Department), the officers specified in columns 3 and 4 of the said table shall respectively, act as Magistrates and Appellate authorities for the purpose of the said Act:—

### TABLE.

S. No.	Name of City or town.	Magistrate appointed for the purposes of the Act.	Officers appointed to act as Appellate authority.
1	2	3	4
1.	Udaipur City	Shri Jai Shanker Shrimali	District Magistrate, Udaipur.



2. Jaipur City

Shri Ramesh  
Chandra GuptaAdditional District  
Magistrate, Jaipur.  
By Order ofHis Highness the Rajpramukh  
BHAJANLAL CHATURVEDI,  
*Secretary to the Government.**HOME DEPARTMENT (Police).*

## NOTIFICATION.

*Jaipur, June 9/10, 1952.*

No. F. 25 (5) (1)/Police-III/51.—In exercise of the powers conferred by clause (1) of section 3 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 as amended by Act No. IX of 1952, the Government of Rajasthan is pleased to make the following amendments in the table annexed to the following Notifications.

In column 3 of the table annexed to:—

- (1) Notification No. F. 24 (5) I/GA (B)/51, dated 16-2-52 issued from the General Administrative Departments.,
- (2) Notification No. F. 25 (5) (1)/Police-III/51, dated 4-10-51.
- (3) Notification No. F. 25 (5)(1)/Police-III/51, dated 22-2-52.
- (4) Notification No. F. 25 (5) (1)/Home-II/52, dated 31-3-1952.,

the words "Magistrate empowered for the purposes of the aforesaid Act" may be substituted for the words "Officer appointed to act as Controller".

By Order of  
His Highness the Rajpramukh  
BHAJANLAL CHATURVEDI,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated July 4, 1957 Part IV (c) at page 241 :*

*HOME DEPARTMENT (D)*

## NOTIFICATION

*Jaipur, June 24, 1957.*

No. F. 7 (1) H D/57.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Jobner (Jaipur District, Ajmer Division) with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,  
SAMPATMAL BHANDARI,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated May 8, 1958 Part IV (c) at page 250 :*

*HOME 'D' DEPARTMENT*

## NOTIFICATION

*Jaipur, April 29, 1958.*

No. F. 7 (11) Home. D. 57. 21/60.—In the exercise of the powers conferred by sub.section (2) of section 2 of the Rajasthan Premises (Control of Rent & Eviction)

Act, 1950 (No. XVII of 1950) as amended by the Rajasthan Premises (Control of Rent & Eviction) Amending and Extending Act, 1957 (No. 34 of 1957) the State Government hereby appoints the 10th May, 1958 as the date on which the provisions of sections 5 to 26 of the said Act, shall come into force in the area in the State of Rajasthan indicated in the Schedule, annexed hereto:—

### THE SCHEDULE

S. No.	Name of the area.	District in which situated.	Division
1.	KEKRI—The Municipality of Kekri and all land within one mile of the limits of the said Municipality.	Ajmer.	Ajmer.

By Order of the Governor,  
C. S. GUPTA,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated August 28, 1958 Part IV (c) at page 862 :*

### HOME 'D' DEPARTMENT

#### NOTIFICATION

*Jaipur, August 5, 1958.*

No. D. 4651/F. 7 (1)/Home D/57.—In exercise of the powers conferred by section 2 of the Rajasthan premises (Control of Rent & Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Suratgarh (District Ganganagar) with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,  
C. S. GUPTA,  
*Secretary to the Government.*

*Published in Raj. Raj-patra Dated November 20, 1958 Part IV (c) at page 1184 :*

### HOME DEPARTMENT (D)

#### NOTIFICATION

*Jaipur, November 6, 1958.*

No. D. 7646/F. 7 (7) Home. D/57.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Nadbai in Bharatpur District with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,  
C. S. GUPTA,  
*Secretary to the Government.*

GOVERNMENT OF RAJASTHAN  
General Administration Department.  
NOTIFICATION.

Jaipur, August 9, 1951.

*No. F. 25 (5) (I)/Police-III/51.*—In exercise of the powers conferred by Clause (1) of section 3 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950, the Government of Rajasthan is pleased to make the following amendment in the Table annexed to the General Administration Department Notification No. F. 24 (5) I/ G.A. (B)/51, dated the 16 February, 1951:—

“Against Serial No. 2, for the entry “Extra Magistrate, Bhilwara” occurring in the third column of the said Table, the entry “City Magistrate, Bhilwara” shall be substituted.”

By Order of  
His Highness the Rajpramukh  
BHAJANLAL CHATURVEDI  
*Secretary to Government.*

*Notifications under*

**Rajasthan Premises (Control of rent and eviction) Act, 1950.**

*Published in Raj. Raj-patra part IV (c) dated January 1, 1959 at page 1280*

*Jaipur, December 9, 1958*

No. D.8611/F. 8(13)/Home. D/58—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent & Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Shivaganj (District Sirohi) with effect from the date of publication of this notification in the Rajasthan Rajpatra.

By Order of the Governor,

C. S. GUPTA,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (a) dated Feb. 19, 1959 at page 1440*

Home 'D' Department

NOTIFICATIONS

*Jaipur, January 19, 1959.*

No. D. 10021/F. 8 (14)/Home D/58—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950). the Government of Rajasthan is pleased to extend all the provisions of the said Act to Merta City in Nagaur District with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,

SHYAM KARAN,

Deputy Secretary to the Government,

*Published in Raj. Raj-patra part IV (c) dated May 14, 1959 at page 148*

Home D' Department

NOTIFICATION

*Jaipur, April 8, 1959.*

No. D. 1673/F. 8 (19) H.D./58.—In exercise of the Powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act 1950 (No. XVII of 1950) the Government of

Rajasthan is pleased to extend all the provisions of the said Act to the town of Sujangarh in Churu District with effect from the date of publication of this notification in the Rajasthan Gazette

By Order of the Governor,  
D. P. SHARMA,  
Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated July 16, 1959 at page 225*

Home (D) Department

NOTIFICATION

*Jaipur, May 18, 1959.*

No. D. 2636/F. 8(20) HD/58.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent & Eviction) Act, 1950 (No. XVII of 1950). the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Raisinghnagar in Ganganagar District with effect from the date of publication of this notification in the Rajasthan Gazette.

By Order of the Governor,  
SHYAM KARAN,  
Deputy Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated July 9, 1959 at page 204*

Home (D) Department

NOTIFICATION

*Jaipur, June 20, 1959.*

No. D. 3700/F. 8 (21)/HD/58.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent & Eviction) Act, 1950 (No. XVII of 1950). the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Abu road with effect from the date of publication of this Notification in the Rajasthan Gazette.

By Order of the Governor,  
SHYAM KARAN,  
Deputy Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated September 17, 1959 at page 717*

Home (D) Department

NOTIFICATIONS

*Jaipur, August 13, 1959.*

No. D. 3700/F. 8(21)Home/D/58.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent

and Eviction) Act, 1950 (No. XVII of 1950) the Government of Rajasthan is pleased to extend all the provisions of the said Act to Mt. Abu with effect from the Date of publication of this Notification in the Rajasthan Gazette.

*Published in Raj. Raj-patra part IV (c) dated November 19, 1959 at page 872*

Home D' Department

### NOTIFICATIONS

*Jaipur, September 22, 1959.*

No. D. 2757/F. 8(4)/Home D/59 - In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Nokha in Bikaner District with effect from the date of publication of this notification in the Rajasthan Gazette.

*Published in Raj. Raj-patra part I (b) dated April 7, 1960 at page 6*

Home 'D' Department

### NOTIFICATION

*Jaipur, March 18, 1960.*

No. D. 5888/F. 8(17)HD/58.—In exercise of the powers conferred by sub-section (2) of section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to Kuchaman City with effect from the date of publication of this Notification in the Rajasthan Gazette.

By Order of the Governor,  
SHYAM KARAN,

Deputy Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated December 15, 1960 at page 483*

Home (B-Gr. II) Department

### NOTIFICATION

*Jaipur, November 25, 1960.*

No. F. 8 (3) HB-Gr.II/60.—In exercise of the Powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (No. XVII of 1950), the Government of Rajas-

18 ] Noti. under Raj. Premises (Control of rent and eviction) Act, 1950.

than is pleased to extend all the provisions of the said Act to the town of Makrana with effect from the date of publication of this Notification in the Rajasthan Gazette.

By Order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Notifications under*

**Rajasthan premises (Control of Rent and Eviction) Act, 1950**

*Published in Raj. Raj-patra part I (b) dated May 18, 1961 at page 24.*

**NOTIFICATION**

*Jaipur, February 27, 1961.*

No. F. 8 (1) HB/Gr. II./60.—In exercise of the Powers conferred by section 2 of the Rajasthan premises (Control of Rent and Eviction) Act, 1950 (No XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Sardarshahar with effect from the date of publication of the Notification in the Rajasthan Gazette.

By Order of the Governor,

D. N. HANDA,

Deputy Secretary to the Government.

*Published in Raj Raj-patra part I (b) dated May 25, 1961 at page 37 :*

Home (B-Gr. II) Department

**NOTIFICATION**

*Jaipur, May 6, 1961.*

No. F. 8 (15) HB-Gr. II/55—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Nawalgarh in district Jhunjhunu with effect from the date of publication of this notification in Rajasthan Gazette.

By Order of the Governor,

Z. S. JHALA,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) at page 10*

Home (B-Gr. II) Department

**NOTIFICATION**

*Jaipur, July 4, 1961.*

No. F. 8 (9) HB/59.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act 1950 (Act No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Ladnun in district Nagaur, with effect from the date of publication of this Notification in Rajasthan Gazette.

By Order of the Governor,

Z. S. JHALA,

Secretary to the Government.



*Published in Raj. Raj-patra part IV (c) at page 9*

Home 'B' II Department  
NOTIFICATION

*Jaipur, July 11, 1961.*

No. F. 18 (5) HB-Gr. II/60.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (XVII of 1950) the Government of Rajasthan is pleased to extend all the provisions of the said Act, to the town of Baggar in District Jhunjhunu with effect from the date of publication of this notification in Rajasthan Gazette.

By Order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Published in Raj. Raj-patra I (b) dated September 14, 1962 at Page 222 :*

Home 'B-II' Department  
NOTIFICATION

*Jaipur, July, 20, 1961.*

No. F. 8 (1) HB-Gr II/60.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (XVII of 1950) the Government of Rajasthan is pleased to extend all the provisions of the said Act, to the town of Deoli in District Tonk with effect from the date of publication of this Notification in Rajasthan Gazette.

By Order of the Governor,  
D. N. HANDA,  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated October 5, 1961 at page 233.*

Home 'B' Gr. II Department  
NOTIFICATION

*Jaipur, September 23, 1961.*

No. F. 18 (1) HB-Gr. II/61.—In exercise of the powers conferred by Section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (Act No. XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Nohar in Ganganagar District with effect from the date of publication of this Notification in Rajasthan Gazette.

By Order of the Governor,  
PARMANAND,  
Deputy Secretary to the Government.

*Published in Raj. Raj-patra part I (b) dated December 7, 1961, at page 302*

Home B-Gr. II Department

NOTIFICATION

*Jaipur, November 25, 1961.*

No. F. 18 (6) HB-Gr. II/61.—In exercise of the powers conferred by section 2 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950 (XVII of 1950), the Government of Rajasthan is pleased to extend all the provisions of the said Act to the town of Fatehpur in District Sikar with effect from the date of publication of this notification in the Rajasthan Rajpatra.

By Order of the Governor,

PARMANAND,

Deputy Secretary to Government.

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*Rules and Notifications under*

PREMISES (REQUISITION & EVICTION) ORDINANCE, 1949.  
( RAJ. ACT No. 11 OF 1949 ).

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*Notifications under*

RAJASTHAN PREMISES  
[REQUISITION AND EVICTION] ORDINANCE, 1949.

*Published in Raj, Raj-patra at page 3-4.*

Government of the United State of Rajasthan  
General Administration Department.

NOTIFICATIONS

Jaipur, November 24, 1949.

*No. F. 15 (46) G.A./49.*—In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (XI of 1949) and in continuation of notification No. 35/1, dated August 31, 1949, the Government of the United State of Rajasthan is pleased to direct that the said Ordinance shall with effect from the 1st day of December, 1949, also apply to the Municipal Limits of the Cities of—

(1) Jodhpur.

(2) Kotah.

Jaipur, November 24, 1949.

*No. F. 15 (46) G.A./49.*—In pursuance of clause (b) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of the United State of Rajasthan is pleased to appoint Collector, Kotah, to perform all the functions of a competent authority under the said Ordinance within the Municipal Limits of the City of Kotah.

Jaipur, November 24, 1949.

*No. F. 15 (46) G.A./49.*—In pursuance of section 5 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of the United State of Rajasthan is pleased to appoint the Commissioner, Kotah Division, to be the Appellate Authority within the Municipal Limits of the City of Kotah.

V. R. ADIGE,  
for Chief Secretary to the Government  
of the United State of Rajasthan.

*Published in Raj, Raj-patra at page 269.*

Jaipur, March 16, 1950.

*No. F. 15 (46) GA/50.*—In pursuance of clause (f) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to order that the providing of house accommodation and business premises for displaced persons shall be a 'public purpose' for the purposes of the said Ordinance.

*Explanation.*—“Displaced Person” means any person who on account of the setting up of the Dominions of India and Pakistan or on account of Civil disturbances or fear of such disturbances in any area now forming part of Pakistan has been displaced from or has left his place of residence in such area after the 1st day of March, 1947, and who has subsequently been residing in India.

K. RADHAKRISHNAN,  
Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Dated September 16, 1950 at page 1*

Government of Rajasthan  
General Administration Department

### NOTIFICATIONS.

Jaipur, September 12, 1950.

*No. F. 15 (62) GA/B/50.*—In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), and in continuation of Notification No. 35-I Sec., dated 31-8-49, the Government of Rajasthan is pleased to direct that the said Ordinance shall, with immediate effect, also apply to the Municipal Limits of the City of Bikaner.

Jaipur, September 12, 1950-

*No. F. 15 (62) GA/B/50.*—In pursuance of clause (b) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to appoint the Collector, Bikaner, to perform all the functions of a competent authority under the said Ordinance within the Municipal Limits of the City of Bikaner.

By Order of His Highness the  
Raj Pramukh,  
V. R. ADIGE,  
Additional Secretary to the  
Government of Rajasthan.

Notice.

Jaipur, September 12, 1950.

*No. F. 15 (62) GA/B/50.*—In pursuance of section 5 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to appoint the Commissioner, Bikaner Division, to be the appellate authority within the Municipal Limits of the City of Bikaner.

By Order of His Highness the  
Raj Pramukh,  
V. R. ADIGE,  
Additional Secretary to the  
Government of Rajasthan.

Published in Raj. Raj-patra Dated February 14, 1951, at page 531-532

Jaipur, February 14, 1951.

No. 15 (62)-II/GA (B)/50.—In pursuance of clause (b) section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to appoint the Collectors noted against each town, to perform all the functions of competent authority under the said Ordinance within the Municipal limits of the following towns:—

<i>Name of the town.</i>	<i>Collector concerned.</i>
1. Kishangarh.	Jaipur.
2. Dausa.	Jaipur.
3. Tonk.	Tonk.
4. Sawai Madhopur.	Sawai Madhopur.
5. Sikar.	Sikar.
6. Khetri.	Jhunjhunu.
7. Pali.	Pali.
8. Barmer.	Barmer.
9. Jalore.	Jalore
10. Nagaur.	Nagaur.
11. Chittorgarh.	Chittorgarh.
12. Nimbahera.	Chittorgarh.
13. Shahpura.	Bhilwara.
14. Remganj Mandi.	Kotah.
15. Baran.	Kotah.
16. Sironj.	Kotah.
17. Bundi.	Bundi.
18. Nainwan.	Bundi.
19. Lakheri.	Bundi.
20. Jhalawar.	Jhalawar.
21. Bhawani Mandi.	Jhalawar.
22. Ganganagar.	Ganganagar.
23. Karanpur.	Ganganagar.
24. Ratangarh.	Churu.
25. Raisinghnagar.	Ganganagar.
26. Churu.	Churu.

Jaipur, February 14, 1951.

No. F. 15 (62)-III/GA (B)/50.—In pursuance of section 5 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to appoint the Commissionet noted against each town to be the appellate authority within the Municipal limits of the following towns for the purposes of the said Ordinance:—

<i>Name of the town.</i>	<i>Divisional Commissioner.</i>
1. Kishangarh.	Jaipur.
2. Dausa.	Jaipur.
3. Tonk.	Jaipur.
4. Sawai Madhopur.	Jaipur.

5. Sikar.	Jaipur.
6. Khetri.	Jaipur.
7. Pali.	Jodhpur.
8. Barmer.	Jodhpur.
9. Jalore.	Jodhpur.
10. Nagaur.	Jodhpur.
11. Chittorgarh.	Udaipur.
12. Nimbahera.	Udaipur.
13. Shahpura.	Udaipur.
14. Ramganj Mandi.	Kotah.
15. Baran.	Kotah.
16. Sironj.	Kotah.
17. Bundi.	Kotah.
18. Nainwan.	Kotah.
19. Lakheri.	Kotah.
20. Jhalawar.	Kotah.
21. Bhawani Mandi.	Kotah.
22. Ganganagar.	Bikaner.
23. Karanpur.	Bikaner.
24. Ratangarh.	Bikaner.
25. Raisinghnagar.	Bikaner.
26. Churu.	Bikaner.

*Published in Raj. Raj-patra Vol. 3 No. 121 Dated 1-12-51 part I at page 755.*

General Administration Deptt.

## NOTIFICATIONS.

Jaipur, November 23, 1951.

No. F. 15 (70) G. A. (B)/51.—In pursuance of clause (f) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of Rajasthan is pleased to order that the providing of accommodation for storing procured foodgrains shall be deemed to be a 'public purpose' for the purposes of the said Ordinance.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated March 28, 1953 part I at page 1129.*

General Administration Department.

## NOTIFICATION.

Jaipur, February 7, 1953.

No. F. 8 (157) G. A. / A. / 53.—In exercise of the conferred by sub-section (2) of sec. II of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949, (No. XI of 1949) the Government of Rajasthan is

pleased to appoint the Divisional Commissioners to be the authorities to whom appeals from orders made within their respective jurisdiction under sub-section (1) of the said section of the said Ordinance may be preferred.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated November 1, 1956 part IV (c) at page 637-638:*

English Translation  
[Authorised by His Highness the Rajpramukh]

### NOTIFICATIONS.

Jaipur, September 20, 1956.

No. F. 6 (25) G A/A/56.—In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949, (Rajasthan Ordinance XI of 1949), the Government of Rajasthan hereby directs that the said Ordinance shall, with effect from the date of publication of this Notification in the Rajasthan Gazette, also apply to the area for the time being within Municipal limits of the town of Dholpur.

English Translation  
[Authorised by His Highness the Rajpramukh]

Jaipur, September 20, 1956.

No. F. 6 (25) G A/A/56.—In pursuance of clause (b) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949, (Rajasthan Ordinance XI of 1949), the Government of Rajasthan hereby appoints the Sub-Divisional Officer, Dholpur, in virtue of his office to perform all the functions of a competent authority under the said Ordinance for the area for the time being within the Municipal limits of the town of Dholpur.

English Translation  
[Authorised by His Highness the Rajpramukh]

Jaipur, September 20, 1956.

No. F. 6(25)GA/A/56.—In pursuance of section 5 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (Rajasthan Ordinance XI of 1949), the Government of Rajasthan hereby appoint the Commissioner, Jaipur Division to be the appellate authority for the purposes of the said Ordinance for the area for the time being within the Municipal limits of the town of Dholpur.

By Order of  
His Highness the Rajpramukh,  
KISHEN PUJRI,  
Chief Secretary to the Government.



*Published in Raj. Raj-patra Dated May 29, 1958 part IV (c) at page 293.*

General Administration Department 'A'

NOTIFICATION.

Jaipur, April 18, 1958.

No. F. 6 (47) GA/A/58 — In pursuance of sub-section (3) of section 1 of the Rajasthan premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of the State of Rajasthan does hereby direct that the said Ordinance shall come into force in the Municipal limits of Mount Abu on the day this notification is published in the official gazette;

And in further pursuance of clause (b) of section 2 of the said Ordinance, the Government does hereby also authorise the Collector, Sirohi, to perform all the functions of a competent authority under the said Ordinance.

*Published in Raj. Raj-patra Dated April 19, 1958 part IV (c) at page 13.*

General Administration Department 'A'

NOTIFICATION.

Jaipur, April 18, 1958,

No. F. 6 (47) GA/A/58 — In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of the State of Rajasthan does hereby direct that the said Ordinance shall come into force in the Municipal limits of Mount Abu on the day this notification is published in the Official Gazette;

And in further pursuance of clause (b) of section 2 of the said Ordinance, the Government does hereby also authorise the Collector, Sirohi, to perform all the functions of a competent authority under the said Ordinance.

By Order of the Governor,

K. N. SUBRAMANIAN,

Chief Secretary to the Government,

*Published in Rajasthan Raj-patra Dated July 19, 1958 part IV (c) at page 81.*

General Administration Department (A)

NOTIFICATION.

Jaipur, July 19, 1958.

No. F. 6 (58) GA/A/58. — In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the Government of the State of Rajasthan does hereby direct that the said Ordinance shall come into force in the Municipal limits of Ajmer on the day this notification is published in the official gazette;

And in further pursuance of clause (b) of section 2 of the said Ordinance, the Government does hereby also authorise the Collector, Ajmer, to perform all the functions of a competent authority under the said Ordinance.

By Order of the Governor,

G. K. BHANOT,

Deputy Secretary to Government.

*Notifications under*

**Rajasthan Premises (Requisition and Eviction)  
Ordinance, 1949.**

*Published in Raj. Raj-patra part IV (c) dated October 15, 1959 at page 759*

General Administration (A) Department  
NOTIFICATION

*Jaipur, August 10, 1959,*

No. F. 6 (47) GA/A/58.—In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the State Government does hereby direct that the said Ordinance shall come into force in the Alwar District with effect from 1st August, 1959.

And in further pursuance of clause (b) of section 2 of the said Ordinance, the Government does hereby authorise the Collector, Alwar to perform all the functions of the competent authority under the said Ordinance.

By Order of the Governor,  
B. MEHTA,  
Chief Secretary to Government.

*Notifications under*

**Rajasthan Premises (Requisition & Eviction)  
Ordinance, 1949**

*Published in Raj. Raj-patra part IV (c) dated July 27, 1961 at page 174*

**NOTIFICATION**

*Jaipur, June 6, 1961.*

No. F. 6 (47) GA/A/58 —In pursuance of sub-section (3) of section 1 of the Rajasthan Premises (Requisition & Eviction) Ordinance, 1949 ( No XI of 1949 ), the State Government does hereby direct that the said Ordinance shall come into force in the Bharatpur city with immediate effect.

And in further pursuance of clause (b) of section 2 of the said Ordinance, the State Government does hereby authorise the Collector, Bharatpur to perform all the functions of Competent Authority under the said Ordinance.

## *Notifications under*

### RAJ. PREMISES ( REQUISITION AND EVICTION ) ORDINANCE, 1949

General Administration Department (A)

Jaipur, December 19, 1966

Notification No. F. 4 (60)/GA./A/66.—In pursuance of clause (f) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (Rajasthan Ordinance II of 1949), the State Government hereby specifies that providing accommodation for storage, supply and distribution of food and fodder by the State Government or by any other agency authorised by the State Government in this behalf, shall be a public purpose for the purposes of the said Ordinance.

[Pub. in Raj. Gaz Ex. 4 (Ga)-Dt. 19-12-66—Page 613]

General Administration Department (A)

Jaipur, December 20, 1966

Notification No. F. 4 (60) GA/A/66.—In pursuance of Sub section (3) of Section 1 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (Rajasthan Ordinance XI of 1949), the state Government, in supersession of this Department's notification of even number dated the 19th December, 1966 published in Rajasthan Rajpatra Extraordinary Part IV C and issued under Sub-section (3) of Section 1 of the said Ordinance, hereby specifies that the said Ordinance, shall come into force within the following areas of Jalore District, with immediate effect, namely:—

1. Municipal limits of Bhinmal,
2. Gram Panchayat limits of Sanchore.
3. Gram Panchayat limits of Raniwada.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 20-12-66 Page 615]

General Administration Department (A)

Jaipur, December 20, 1966.

Notification No. F. 4 (60) GA/A/66.—In pursuance of section 5 of Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (No. XI of 1949), the State Government, in supersession of this Department's notification of even number dated the 19th December, 1966 published in Rajasthan Raj Patra Extraordinary part IV C and issued under Section 5 of said Ordinance, hereby appoints the Revenue Appellate Authority Jodhpur to be the Appellate Authority within the following areas of district Jalore for the purposes of the said Ordinance:—

1. Municipal limits of Bhinmal,

2. Gram Panchayat limits of Raniwada;

3. Gram Panchayat limits of Sanchore,

[ Pub. in Raj. Gaz. Ex.4 (Ga)-Dt. 20-12-66 Page 616]

General Administration Department (A)

Jaipur, December 20, 1966.

Notification No. F. 4(60)GA/A/66.—In pursuance of clause (b) of section 2 of the Rajasthan Premises (Requisition and Eviction) Ordinance, 1949 (Rajasthan Ordinance XI of 1949), the State Government in supersession of this Department's notification of even number dated the 19th December, 1966 published in Rajasthan Rajpatra Extraordinary part IV C and issued under clause (b) of Section 2 of the said Ordinance, the State Government hereby authorises the Collector of District Jalore to perform all the function of the Competent Authority under the said Ordinance within the Municipal limits of Bhinmal and the Gram Panchayat limits of Raniwada and Sanchore.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 20-12-66—Page 616]

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*Rules and Notifications under*

PRESS ( OBJECTIONABLE MATTER ) ACT, 1951.  
( CENTRAL ACT No. 46 OF 1951 ).

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## Notifications

### PRESS [ OBJECTIONABLE MATTER ] ACT, 1951.

*Published in Raj. Raj-patra Vol. 4 No. 102 Dated 13-9-52 part I at page 572.*

Judicial Department.

#### NOTIFICATIONS

Jaipur, September 5, 1952.

*No. F. 2 (10) Jud./52.*—In exercise of the powers conferred by sub section (3) of section 20 of the Press ( Objectionable Matter ) Act, 1951 ( Act No. VI of 1951 ) and section 321 of the Code of Criminal Procedure, 1898, the Government of Rajasthan is pleased to appoint all the District Magistrates and the District and Sessions Judges, in Rajasthan to prepare and make in alphabetical order a list of persons liable to serve as jurors within the meaning of the said Article 20 (3) of the Press ( Objectionable Matter ) Act, 1951.

*Published in Raj. Raj-patra Vol. 4 No. 68 Dated 5-7-52 part I at page 326.*

Home Department ( *Publicity* )

#### ORDER.

Jaipur, June 19, 1952.

*No. F. 3 ( 79 ) Pub./51.*—Government have been pleased to appoint all District Magistrates for their respective jurisdictions to be officers to whom articles detained in course of transmission by post by any postal authority under sub-section (2) of section 13 of the Press ( Objectionable Matter ) Act, 1951, shall be delivered.

Jaipur, June 19, 1952.

*No. F. 3 ( 79 ) Pub./51.*—In pursuance of clause (c) of section 2 of the Press ( Objectionable Matter ) Act, 1951, the Government of Rajasthan is pleased to empower all District Magistrates to exercise within their respective jurisdictions the powers of a competent authority for the purposes of the said Act.

Jaipur, June 19, 1952.

*No. F. 3 (79) Pub./51.*—Government have been pleased to appoint the Commissioner of Customs and Excise, Rajasthan, for the whole of Rajasthan and the Deputy Commissioners, Customs and Excise, for their respective jurisdictions to be officers to whom contents of packages detained by any Customs Authority under sub-section (1) of section 12 of the Press ( Objectionable Matter ) Act, 1951, shall be forwarded.

Jaipur, June 19, 1952.

*No. F. 3 (79) Pub./51.*—In pursuance of sub-section (3) of section 20 of the Press ( Objectionable Matter ) Act, 1951, the Government have been pleased to appoint the Home Secretary to the Government of Rajasthan to be the officer who will prepare and

make out in alphabetical order a list of persons residing within the State who by reason of their journalistic experience or of their connection with printing presses or newspapers or of their experience in public affairs, are qualified, to serve as Jurors. The list shall contain the name, the place of residence and occupation of every such person.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
*Chief Secretary to the Government.*

*Published in Rajasthan Raj-patra Dated April 4, 1953 part I at page 12*

Jaipur, March 27, 1953.

No. F. 33 (3) Home 11/52.—In supersession of the Judicial Department Notification No. F. 2 (10) Jud./52, dated the 5th September, 1952, the Government of Rajasthan in exercise of the powers conferred by sub-section (3) of section 20 of the Press (Objectionable Matters) Act, 1951 has been pleased to appoint the Home Secretary to the Government of Rajasthan to be the Officer who will prepare and make out in the alphabetical order a list of persons residing within the State who by reason of their journalistic experience or of their connection with Printing Presses or Newspapers or of their experience in public affairs, are qualified to serve as Jurors. The list shall contain the name, the place of residence and occupation of every such person.

By Order,  
B. G. RAO,  
*Chief Secretary to the Government.*



*Notification under*

**Rajasthan Press and Registration of Books Rules, 1951.**

*Published in Raj. Raj-patra part IV (c) dated October 15, 1959 at page 772*

*Jaipur, August 29, 1959.*

No. D. 4244/F. 3 (11) Home D/57.—In exercise of the powers conferred by section 20 of the Press and Registration of Books Act, 1867 (Central Act No. XXV of 1867), the State Government hereby makes the following amendments in the Rajasthan Press and Registration of Books Rules, 1951, namely:—

In the said Rules:—

1. In Rule 4 and sub-rule 5 for the words “Assistant Inspector General of Police, C. I. D., I. B., Rajasthan”, substitute the words “Deputy Inspector General, C. I. D. & I. B., Rajasthan.

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*Rules and Notifications under*

PRESS & REGISTRATON OF BOOKS ACT, 1867.  
( CENTRAL ACT No. 25 OF 1867 )

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# THE RAJASTHAN

## Press and Registration of Books Rules, 1951.

Government of Rajasthan  
*Home Department ( Publicity )*  
NOTIFICATION.

Jaipur, June 28, 1951.

No. F. 2 (ii) (36) Pub./51.—In exercise of the power conferred by section 20 of the Press and Registration of Books Act, 1867, the Government of Rajasthan are pleased to make the following rules, namely:—

### *Note.*

Section 20 of the Press and Registration of Books Act., 1867 authorises the State Government to make such rules as may be necessary or desirable for carrying out the objects of the Act, Section 20 A, newly added by central Act, No. 5 of 1955, authorises the central Government to make rules for, namely—

(a) prescribing the particulars which a declaration made and subscribed under section 5 may contain ;

(b) prescribing the manner in which copies of any declaration attested by the official seal of a Magistrate may be forwarded to the Press Registrar ;

(c) prescribing the manner in which copies of any newspaper may be sent to the Press Registrar under section 11-B ;

(d) prescribing the manner in which a Register may be maintained under section 19-B and the particulars which it may contain ;

(e) prescribing the particulars which an annual statement to be furnished by the publisher of a newspaper to the Press Registrar may contain ;

(f) prescribing the form and manner in which an annual statement under clause (a) of section 19 D, or any returns, statistics or other information under section 19-E, may be furnished to the Press Registrar ;

(g) prescribing the fees for furnishing copies of extracts from the Register and the manner in which such copies may be furnished ;

(h) prescribing the manner in which a certificate of registration may be issued in respect of a newspaper.

(i) prescribing the form in which, and the time within which, annual reports may be prepared by the Press Registrar and forwarded to the Central Government.

With the addition of section 20A it has been provided by way of amendment in section 20 of the Act, that the rules made by the state Government shall not be inconsistent with the rules made by the central Government under section 20 of the Act,

1. (a) *Short title.*—These rules may be called the Rajasthan Press and Registration of Books Rules, 1951.

(b) *Application and commencement*—These rules will come into force immediately, and will apply to the whole of the State of Rajasthan.

2. *Definition.*—In these rules the expression 'the Act' means the Press and Registration of Books Act, 1867.

3. *Declaration by keeper of a Press.*—A keeper of a Press making a declaration under section 4 of the Act shall, if the place where such press is situate is a portion only of a building or en-

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These rules have been first published in Rajasthan Raj-patra dated July 7, 1951 part IV (b) at page 205.

C.I.D.I.B., Rajasthan. Every printer shall also deliver one copy of such a newspaper to the District Magistrate of the District in which the Press is situated.

*Notes.*

Section 11 A of the Act provides that:—

The printer of every newspaper in India shall deliver at such place and to such officer as the State Government may, by notification in the official *gazette*, direct, and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

5.—*Delivery of books.*—(a) Every printer of a book shall in accordance with the provisions of Clause (a) of section 9 of the Act, deliver one copy of every book printed or lithographed in Rajasthan to the Director of Public Relations for Rajasthan at his office at Jaipur.

(b) Every printer shall also deliver in accordance with the provisions of clause (b) of section 9 of the Act, one copy of such book to the District Magistrate of the district in which the Press is situated and one copy to the Assistant Inspector General of Police, Criminal Investigation Department and Intelligence Branch, Rajasthan, at his office at Jaipur.

*Notes.*

The rule in the present form stands substituted for previous rule 5 vide amending notification No. F. 2 (ii) 36/pub/51 dated 24/6/53, published in Rajasthan Raj-patra part IV (B) dated 27/6/53. Previous rule is reproduced below,

(1) Every printer of a book shall in accordance with the provisions of clauses (a) and (b) of section 9 of the Act, deliver one copy of every book printed or lithographed in Rajasthan to the Director of Public Relations for Rajasthan at his office at Jaipur.

[2] Every printer shall also deliver one copy of such book to the District Magistrate of the District in which the Press is situated and one copy to the Assistant Inspector General of Police, C.I.D. and I.B., Rajasthan.

Section 9 of the Act requires that the copies of the books printed after the commencement of the Act should be delivered gratis to such officers as the State Government may direct. This rule names such officers as required under section 9 of the Act.

6. *Form of Receipt for books delivered*—The receipt referred to in section 10 of the Act shall be in the following form:—

"I, A.B., do hereby acknowledge to have received from C.D. printer/Lithographer, a copy of.....required under clause (a) (b) of section 9 of the Press and Registration of Books Act, XXV of 1867.

Dated.....

Signature.....

*Notes.*

The rule prescribes the form of receipt for books delivered under section 9 of the Act

7. *Quarterly return of books issued from a press.*—Every keeper of a printing press shall, within ten days after the first day of January, the first day of April, the first day of July and the first day of October of each year, forward to the District Magistrate, return in the sub-joined form of all books printed at his press in the

closure or other premises, state in such declaration a true and precise description of that portion such as will, in the opinion of the Magistrate before whom such declaration is made, be sufficient to identify the same.

*Notes.*

Section 4 of the Act requires the keeper of printing press to make a declaration about the place where a press is kept.

3A. *Declaration by printer or publisher of a newspaper.*—(1) The printer and the publisher of every newspaper published in Rajasthan shall appear in person before the District Magistrate within whose local jurisdiction such newspaper shall be printed or published, or such printer or publisher resides, for making a declaration under section 5 of the Act, unless he shall prove to the satisfaction of such Magistrate concerned that he is unable so to appear by reason of any bodily infirmity or other sufficient cause, he shall, in such case, be permitted to appear by an agent authorised by him by a power of attorney duly executed in this behalf to carry out all the requirements of section 5 of the Act.

(2) The printer or publisher making such declaration shall, if the place where the printing or publication of such newspaper is conducted is only a portion of the building or enclosure or any other premises, state in such declaration a true and precise account of that portion such as will, in the opinion of the Magistrate before whom such declaration is made be sufficient to identify the same.

3B. *Joint Declaration.*—If two or more persons individually declare themselves to be the keeper of one and the same press or the printer and/or publisher of one and the same newspaper the District Magistrate shall require each such declarant to describe himself as the joint keeper of the press or the joint printer and or publisher of the newspaper, as the case may be.

*Notes.*

Sub-section (2) of section 5 of the Act provides as under:—

(2) The printer and the publisher of every such newspaper shall appear in person or by agent authorised in this behalf in accordance with rules made under section 20, before a District, Presidency or Sub-divisional Magistrate within whose local jurisdiction such newspaper shall be printed or published, or such printer or publisher resides, and shall make and subscribe, in duplicate, the following declaration :

"I, A. B., declare that I am the printer ( or publisher, or printer and publisher) of the newspaper entitled—and to be printed or published, or to be printed and published, as the case may be at—".

And the last blank in this form of declaration shall be filled up with a true and precise account of the premises where the printing or publication is conducted.

The rules 3A and 3 B are meant to meet the requirements of aforesaid sections

4. *Delivery of copies of newspaper.*—Two copies of every such newspaper as is published in Rajasthan, shall in accordance with the provisions of section 11-A of the Act, be delivered by the printer, one to the Director of Public Relations for Rajasthan at his office in Jaipur and the other to the Assistant Inspector-General of the Police-

C.I.D.J.B., Rajasthan. Every printer shall also deliver one copy of such a newspaper to the District Magistrate of the District in which the Press is situated.

*Notes.*

Section 11 A of the Act provides that:—

The printer of every newspaper in India shall deliver at such place and to such officer as the State Government may, by notification in the official *gazette*, direct, and free of expense to the Government, two copies of each issue of such newspaper as soon as it is published.

5.—*Delivery of books.*—(a) Every printer of a book shall in accordance with the provisions of Clause (a) of section 9 of the Act, deliver one copy of every book printed or lithographed in Rajasthan to the Director of Public Relations for Rajasthan at his office at Jaipur.

(b) Every printer shall also deliver in accordance with the provisions of clause (b) of section 9 of the Act, one copy of such book to the District Magistrate of the district in which the Press is situated and one copy to the Assistant Inspector General of Police, Criminal Investigation Department and Intelligence Branch, Rajasthan, at his office at Jaipur.

*Notes.*

The rule in the present form stands substituted for previous rule 5 vide amending notification No. F. 2 (ii) 36/pub/51 dated 24/6/53, published in Rajasthan Raj-patra part IV (B) dated 27/6/53. Previous rule is reproduced below,

(1) Every printer of a book shall in accordance with the provisions of clauses (a) and (b) of section 9 of the Act, deliver one copy of every book printed or lithographed in Rajasthan to the Director of Public Relations for Rajasthan at his office at Jaipur.

[2 Every printer shall also deliver one copy of such book to the District Magistrate of the District in which the Press is situated and one copy to the Assistant Inspector General of Police, C.I.D. and I.B., Rajasthan.

Section 9 of the Act requires that the copies of the books printed after the commencement of the Act should be delivered gratis to such officers as the State Government may direct. This rule names such officers as required under section 9 of the Act.

6. *Form of Receipt for books delivered*—The receipt referred to in section 10 of the Act shall be in the following form:—

"I, A.B., do hereby acknowledge to have received from C.D. printer/Lithographer, a copy of.....required under clause (a) (b) of section 9 of the Press and Registration of Books Act, XXV of 1867.

Dated.....

Signature.....

*Notes.*

The rule prescribes the form of receipt for books delivered under section 9 of the Act

7. *Quarterly return of books issued from a press.*—Every keeper of a printing press shall, within ten days after the first day of January, the first day of April, the first day of July and the first day of October of each year, forward to the District Magistrate, return in the sub-joined form of all books printed at his press in the

quarter preceding the said dates, or if no books have been printed at his press, a statement to that effect—

### QUARTERLY RETURN OF BOOKS AND PAMPHLETS ISSUED FROM THE PRESS.

Full title of book (contents of title page.)	Printer and place of publication.	Date of issue from the press or the publication.
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8. *Catalogue of books*—The catalogue of books printed in Rajasthan referred to in section 18 of the Act shall be kept by the Director of Public Relations for Rajasthan. He shall publish the memorandum of the books registered in such catalogue during each quarter in the Rajasthan Gazette and forward a copy thereof to the Secretary to the Government of Rajasthan in the Home Department for being sent to the Government of India.

#### Notes.

Section 18 of the Act requires that a catalogue of books shall be kept by such officers as state Government may appoint. This rule names such officer for such purpose.

8-A. *Books to be sent for deposit in the Public Library*.—All books received by the Director of Public Relations under clause (a) of section 9 of the Act shall after being used for the preparation of the catalogue referred to in Rule 8, be forwarded to the Maharajas Public Library at Jaipur:

Provided that books which are required to be brought to the notice of the State Government shall be forwarded to the Secretary to the Government of Rajasthan in the Home Department.

8-B *Books to be transmitted to the Central Government*.—Every District Magistrate and the Assistant Inspector General of Police shall forward all books received by them under clause (b) of section 9 of the Act, to the Secretary to the Government of Rajasthan in the Home Department for being transmitted to the Government of India.

#### Notes.

Rules 8 A and 8 B have been newly added vide the same amending notification as referred to above in rule 5.

9. When by a notification issued by Government under section 21 of the Act, any book forfeited under section 99-A of the Code of Criminal Procedure, 1898 is excluded from the operation of Part V of the Act, any entries in respect of such book in the catalogue of books kept under section 18 of the Act, if already made, shall be deleted.

*Notes.*

Section 21 authorises the State Government to exclude any class of books or papers from operation of the Act.

10. *Supersession.*—Any rules, corresponding to and covered by these rules in force in the Abu, Ajmer and Sunel areas are hereby superseded.

*Notes.*

Rule 10 has been newly added vide amending notification No. F.2 (10) H-D/57 dated 4/3/58, published in Rajasthan Rajpatra part IV (c) dated 22/5/58.

By Order  
His Highness the Rajpramukh,  
BHAJANLAL CHATURVEDI,  
Secretary to Government,  
HOME DEPARTMENT.



*Notifications under*

**PRESS AND REGISTRATION OF BOOKS ACT, 1867.**

*Published in Raj. Raj-patra Vol. 2 No. 3 Dated 15-4-50 part I at page 11.*

Publicity Department,

NOTIFICATION.

Jaipur, April 6, 1950.

*No. F. 2 (i) (13) Pub./50.*—In pursuance of sections 9 and 11 A of Rajasthan Press and Registration of Books Ordinance, 1949 the Government are pleased to order that each printer and publisher of book and/of a newspaper should furnish one copy of each book and one copy of every issue of each newspaper to the Director of Public Relations, and one copy of each issue of a newspaper to Assistant Inspector-General of Police, C. I D., I B., Government of Rajasthan, Jaipur.

By Order of H.H. the Rajpramukh,

K. RADHAKRISHNAN,

Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 3 No. 60 Dated 30-6-57 part I at page 353.*

Home Department (Publicity).

NOTIFICATION.

Jaipur, June 21, 1951.

Sub:—Stopping permission for publication under the Rajasthan Press & Registration of Books Ordinance, 1949.

*No. F. 2 (ii) (35) Pub./51.*—The Rajasthan Press & Registration of Books Ordinance, 1949, having been repealed and replaced by the Press and Registration of Books Act, 1867, of the Central Legislature, prior permission of the Government for the publication of a newspaper is no longer necessary.

A declaration as required under section 5 (2) of the Press and Registration of Books Act, 1867 of the Government of India can now be filed direct in the Court of District Magistrate concerned.

BHAJANLAL CHATURVEDI,

Secretary to Government,

Home Department.

*Published in Rajasthan Raj-patra Dated June 18, 1955 part I (b) at page 221.*

Home Department II.

NOTIFICATION

Jaipur, June 8, 1955.

*No. F. 35 (5) Home. II/55.*—In exercise of the powers conferred by section 21 of the Press and Registration of Books Act, 1867 (XXV of 1867), the Government of Rajasthan is pleased to exclude the College and School Magazines from filing any declaration under the aforesaid Act.

By Order of

His Highness the Rajpramukh,

S. D. UJWAL,

Secretary to the Government.

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*Rules and Notifications under*

**PREVENTION OF FOOD ADULTERATION ACT, 1954.  
( CENTRAL ACT No. 37 OF 1954 )**

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# The Rajasthan Prevention of Food Adulteration Rules, 1957.

Medical and Public Health Department  
NOTIFICATION

Jaipur, March 28, 1957.

No. F-16-A (4) MH/53.—In exercise of the powers conferred by section 24 of the prevention of Food Adulteration Act, 1954 (Central Act No. 37 of 1954), after consultation with the Committee and previous publication, the State Government hereby makes the following rules:—

## RULES.

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Prevention of Food Adulteration Rules, 1957.

### Notes.

Section 23 of the Prevention of Food Adulteration Act, 1954, authorises the Central Government to make rules for, namely—

(a) specifying the articles of food or classes of food for the import of which a licence is required and prescribing the form and conditions of such licence, the authority empowered to issue the same and the fees payable therefor;

(b) defining the standards of quality for, and fixing the limits of variability permissible in respect of any article of food;

(c) laying down special provisions for imposing rigorous control over the production, distribution and sale of any article or class of articles of food which the Central Government may, by notification in the official *Gazette*, specify in this behalf including registration of the premises where they are manufactured, maintenance of the premises in a sanitary condition and maintenance of the healthy state of human beings associated with the production, distribution and sale of such article or class of articles;

(d) restricting the packing and labelling of any article of food and the design of any such package or label with a view to preventing the public or the purchaser being deceived or misled as to the character, quality or quantity of the article;

(e) defining the qualifications, powers and duties of food inspectors and public analysts;

(f) prohibiting the sale or defining the conditions of sale of any substance which may be injurious to health when used as food or restricting in any manner its use as an ingredient in the manufacture of any article of food or regulating by the issue of licences the manufacture or sale of any article of food;

(g) defining the conditions of sale or conditions for licence of sale of any article of food in the interest of public health;

(h) specifying the manner in which containers for samples of food purchased for analysis shall be sealed up or fastened up;

(i) specifying a list of permissible preservatives, other than common salt and sugar, which alone shall be used in preserved fruits, vegetables or products or any other article of food as well as the maximum amounts of each preservative;

(j) specifying the coloring matter and the maximum quantities thereof which may be used in any article of food.

(k) providing for the exemption from this Act or of any requirements contained therein subject to such conditions, if any, as may be specified, of any article or class of articles of food;

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These rules have been first published in *Rajasthan Raj-patra* dated April 25, 1957 part IV (c) at page 26.

(l) prohibiting or regulating the manufacture, transport or sale of any article known to be used as an adulterant of food;

(m) prohibiting regulating—

(i) the addition of any water, or other diluent or adulterant to any article of food;

(ii) the abstraction of any ingredient from any article of food;

(iii) the sale of any article of food to which such addition or from which such abstraction has been made or which has been otherwise artificially treated;

(iv) the mixing of two or more articles of food which are similar in nature or appearance;

(n) providing for the destruction of such articles of food as are not in accordance with the provisions of this Act or of the rules made thereunder.

Section 24 of the Act authorises the State Government to make rules for the purpose of giving effect to the provisions of this Act in matters not falling within the purview of section 23. Without prejudice to the generality of this power these rules framed by the State Government may—

(a) define the powers and duties of the food (Health) Authority and local authority and jurisdiction of food inspectors and public analysts;

(b) prescribe the forms of licences for the manufacture for sale, for the storage, for the sale and for the distribution of articles of food or any specified article of food or class of articles of food, the form of application for such licences, the conditions subject to which licences may be issued, authority empowered to issue the same and the fees payable therefor;

(c) direct a fee to be paid for analysing any article of food or for any matter for which a fee may be prescribed under this Act;

(d) direct that the whole or any part of the fines imposed under this Act shall be paid to a local authority on realisation;

(e) provide for the delegation of the powers and functions conferred by this Act on the State Government or the Food (Health) Authority to subordinate authorities or to local authorities.

These rules have, thus, been framed by the State Government in exercise of the aforesaid powers.

(2) They shall come into force on the date of their publication in the Rajasthan Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires:—

(a) “Act” means the Prevention of Food Adulteration Act, 1954 (37 of 1954).

(b) “Assistant Director of Health Services” means an officer appointed as such by the State Government;

(c) Deputy Director of Health Services” means an officer appointed as such by the State Government.

(d) “Form” means a form appended to these rules.

3. *Local authority.*—In the case of a local area or a part of it which is not covered by a municipality, a cantonment or a notified area, the Assistant Director of Health Services shall be the local authority under the Act within his jurisdiction.

#### *Notes.*

Section 2 (viii) of the Act defines “Local Authority” as under:—  
“local authority” means in the case of—

(1) a local area which is—

- (a) a municipality, the municipal board or municipal corporation;
- (b) a contonment, the contonment authority;
- (c) a notified area, the notified area committee;
- (2) any other local area, such authority as may be prescribed by the State Government under this Act;

This rule prescribes the "Local Authority" as required under section 2 (viii) (2) of the Act.

4. *Powers and jurisdiction of Food (Health) Authority.*—  
Food (Health) Authority shall exercise the following powers:—

(1) The Food (Health) Authority shall ensure the proper working of the Act and shall take such steps as he may deem necessary from time to time for efficient and proper working of the provisions of the Act.

(2) The Food (Health) Authority shall also exercise an over-all control on the working of the Food Inspector and will ensure that local Authorities have the adequate staff of Food Inspectors for efficient working of the Act.

(3) The Food (Health) Authority may recommended for adoption by the Local Authority such measures as may be necessary for carrying out the purposes of the Act in any local area and the local authority concerned shall be bound to implement such recommendations.

(4) The Food (Health) Authority may delegate in writing all or any of his powers under the Act to any local Authority or any other Officer by name or by virtue of his office.

(5) The Food (Health) Authority shall also be empowered to:—

(a) act as "Food Inspector under the provisions of the Act for the whole of the State;

(b) authorise the Deputy Director or an Assistant Director of Health Services to act as Food Inspector in such area and for such period as he may prescribe from time to time.

(6) Appeals on decisions made by the Local Authority on matters relating to these rules within its powers shall be made to the

(l) prohibiting or regulating the manufacture, transport or sale of any article known to be used as an adulterant of food;

(m) prohibiting regulating—

(i) the addition of any water, or other diluent or adulterant to any article of food;

(ii) the abstraction of any ingredient from any article of food;

(iii) the sale of any article of food to which such addition or from which such abstraction has been made or which has been otherwise artificially treated;

(iv) the mixing of two or more articles of food which are similar in nature or appearance;

(n) providing for the destruction of such articles of food as are not in accordance with the provisions of this Act or of the rules made thereunder.

Section 24 of the Act authorises the State Government to make rules for the purpose of giving effect to the provisions of this Act in matters not falling within the purview of section 23. Without prejudice to the generality of this power these rules framed by the State Government may—

(a) define the powers and duties of the food (Health) Authority and local authority and jurisdiction of food inspectors and public analysts;

(b) prescribe the forms of licences for the manufacture for sale, for the storage, for the sale and for the distribution of articles of food or any specified article of food or class of articles of food, the form of application for such licences, the conditions subject to which licences may be issued, authority empowered to issue the same and the fees payable therefor;

(c) direct a fee to be paid for analysing any article of food or for any matter for which a fee may be prescribed under this Act;

(d) direct that the whole or any part of the fines imposed under this Act shall be paid to a local authority on realisation;

(e) provide for the delegation of the powers and functions conferred by this Act on the State Government or the Food (Health) Authority to subordinate authorities or to local authorities.

These rules have, thus, been framed by the State Government in exercise of the aforesaid powers.

(2) They shall come into force on the date of their publication in the Rajasthan Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires:—

(a) “Act” means the Prevention of Food Adulteration Act, 1954 (37 of 1954).

(b) “Assistant Director of Health Services” means an officer appointed as such by the State Government;

(c) Deputy Director of Health Services” means an officer appointed as such by the State Government.

(d) “Form” means a form appended to these rules.

3. *Local authority.*—In the case of a local area or a part of it which is not covered by a municipality, a cantonment or a notified area, the Assistant Director of Health Services shall be the local authority under the Act within his jurisdiction.

#### *Notes.*

Section 2 (viii) of the Act defines “Local Authority” as under:—  
“local authority” means in the case of—

(1) a local area which is—

- (a) a municipality, the municipal board or municipal corporation;
  - (b) a cantonment, the cantonment authority;
  - (c) a notified area, the notified area committee;
- (2) any other local area, such authority as may be prescribed by the State Government under this Act;

This rule prescribes the "Local Authority" as required under section 2 (viii) (2) of the Act.

4. *Powers and jurisdiction of Food (Health) Authority.*—  
Food (Health) Authority shall exercise the following powers:—

(1) The Food (Health) Authority shall ensure the proper working of the Act and shall take such steps as he may deem necessary from time to time for efficient and proper working of the provisions of the Act.

(2) The Food (Health) Authority shall also exercise an overall control on the working of the Food Inspector and will ensure that local Authorities have the adequate staff of Food Inspectors for efficient working of the Act.

(3) The Food (Health) Authority may recommend for adoption by the Local Authority such measures as may be necessary for carrying out the purposes of the Act in any local area and the local authority concerned shall be bound to implement such recommendations.

(4) The Food (Health) Authority may delegate in writing all or any of his powers under the Act to any local Authority or any other Officer by name or by virtue of his office.

(5) The Food (Health) Authority shall also be empowered to:—

- (a) act as "Food Inspector under the provisions of the Act for the whole of the State;
- (b) authorise the Deputy Director or an Assistant Director of Health Services to act as Food Inspector in such area and for such period as he may prescribe from time to time.

(6) Appeals on decisions made by the Local Authority on matters relating to these rules within its powers shall be made to the

Food (Health) Authority, and appeals on decisions made by the Food (Health) Authority shall lie with the State Government whose decision shall be final.

(7) If in the opinion of the Food Health Authority, any local authority is making default in performing or is unable to perform its duties satisfactorily under the Act, the Food Health Authority, after sanction of the State Government may arrange for the proper implementation of the provisions of the Act in the area of such local authority.

#### Notes

“Food (Health) Authority” has been defined in section 2 (iv) of the Act as under:—

“Food (Health) Authority” means the Director of Medical and Health Services or the Chief Officer in charge of health administration in a State by whatever name he is called;

Section 9 of the Act regarding as under requires the appointment of a “Food Inspector” by the State Government.

Clause (7) of rule 4 has been newly inserted vide Medical and Public Health Department Notification No D. 1356/F. 8(19) MPH/60 dated March 21, 1961, published in part IV (c), supplement to Rajasthan Gazette No. 15 dated July 13, 1961.

5. *Provision regarding licenses when to apply.*—The provisions contained in these rules regarding licenses form of application for licenses and fee therefor, shall apply only in respect of any article for which a licence is necessary under rules made by the Central Government under the Act, regulating by issue of licences the manufacture for sale, the storage, the sale and distribution of that article, and the word “License” shall be construed accordingly.

6: Application for licence, its classes and fees

(a) There shall be following 3 classes of licences:—

(i) Class I licences shall be required by a person who manufactures, sells, stocks, distributes or exhibits for sale any articles for which a licence is required, in any fixed premises and who pays tax on the income earned in the business in respect of such article.



(ii) Class II licence shall be required by a person who manufactures, sells stocks, distributes or exhibits for sale any article for which a licence is required, in any fixed premises but does not have to pay any tax on the income earned in the business in respect of such article.

(iii) Class III licence shall be required by a person who sells, distributes or exhibits for sale any article in respect of which a licence is required, from door to door and not on any fixed premises.

(b) An application for licence shall be made in the Form A to the Licensing Authority and shall be accompanied by a fee of Rs. 12/- for licence of Class I, Rs. 6/- for a licence Class II, and Rs. 1/- for a licence Class III.

(c) If the article of food for which a licence is required, is manufactured, stored or exhibited for sale at more than one place, then a separate application shall be made and a separate licence shall be issued in respect of each such place:

Provided that for only one of such licences, a fee as prescribed in sub-rule (b) shall be charged and a fee of Rs. 3/- for each licence for other remaining places shall be charged.

#### Notes.

Present rule 6 has been substituted for the previous rule 6 vide the same amending notification dated March 21, 1961 referred above. Previously rule 6 stood under:—

6. *Application for licence.*—An application for licence shall be made in Form 'A' to the licensing authority and shall be accompanied by a fee of rupees twelve.

Similarly present Form 'B' has been substituted for the previous one.

7. *Form of licence.*—A licence if issued shall be in form 'B'

8. *Conditions of licence.*—Every licence shall be deemed to be subject to the following conditions in so far as they are applicable to it:—

(1) The licence shall be valid for full calendar year provided the licensing authority can at any time cancel, suspend or modify the licence without assigning any reason therefor.

(2) Every licensee [ Class I ] shall maintain an account of stocks and sales in a register in Form 'C' and the particulars entered therein shall be full and true.

(3) Every licensee [ Class I ] for the manufacture or sale of butter, ghee, hydrogenated vegetable oils, edible oils, and other oils or fats shall maintain a register in Form 'D' and the particulars entered therein shall be full and true.

(4) Inspection of the registers maintained under sub-rules (1) and (2) shall be allowed at all reasonable times to the Food Inspector, having jurisdiction, the licensing authority and person authorised by the licensing authority in this behalf.

*Notes.*

Words "class I" appearing in brackets in sub-rule (2) and (3) have been newly inserted vide the same amending notification dated March 21, 1961 referred above.

(9) *Fees*.—Fees for the analysis by the Public Analyst of samples of food submitted by private purchasers or local authorities under the Act shall be charged as follows:—

( i ) For examination of atta, gur, cane, sugar and tea.	Rs. 5/-
(ii) For chemical examination of milk	Rs. 5/-
(iii) For analysis of ghee, butter and khoa	Rs. 10/-
(iv) For analysis of other articles of food	Rs. 10/-

(10) *Allotment of fines*.—Fines realised under the Act shall be credited to the funds of the local authority within whose local area the offence was committed.

11. *Health Officer*.—An Officer empowered under section 2 of the Epidemic Diseases Act, 1897 (Central Act III of 1897), for the time being Incharge of a local area shall be the Health Officer for the purpose of section 10 (1) (c) of the Act.

Notes.

Section 10 (1) (c) of the Act provides that, : 'A Food Inspector shall have power with previous approval of the health officer having jurisdiction in the local area concerned, or with the previous approval of the Food (Health) Authority, to prohibit the sale of any article of food with a view to preventing the outbreak or spread of any infectious disease.

12. *Supersession.*—All rules corresponding to these rules if any in force in the Abu Ajmer and Sunel areas shall stand superseded.

FORM 'A'

(See Rule 6)

Application for licence for manufacture for sale/sale/storage for sale distribution of the food.

I/We ... .. resident of ... ..  
by occupation ... .. hereby apply for manufacture  
for sale/sale/storage for sale — distribution of the food.

... ..  
... ..  
an I/We undertake to comply with the conditions applicable to the  
licence. Signature

Date.... Full address.....  
.....

Form B (see rule 7) licences

This licence Class I is hereby issued to .....  
II  
III

S/o.... R/o ... .. for

+manufacture for sale.

sale

storage for sale

distribution

exhibition for sale

of food article .....

on the premises situated at.....

subject to the conditions prescribed  
of Food Adulteration Rule, 1957.

(See Rule 8 (2))

Form of Register maintained by a Licensee

S. No.	Date	Name of food.
--------	------	---------------

Description.

Quantity in balance at the  
time of close of business  
on the preceding day

New supply, if any.

Quantity sold.

Source of supply.

Balance at the time of close of business.

(See Rule 8 (3))

Form of Register maintained by Licensees of  
certain categories.

S. No.	Date	Name of food.
--------	------	---------------

Manufactured sold		Purposes for which sold		Stock of balance in Hand		Remarks.
Descrip- tion	Quan- tity	Descrip- tion	Quan- tity	Decrip- tion	Quan- tity	

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

# Rajasthan Prevention of Food Adulteration Rules, 1957.

Published in Raj. Raj-patra part II (a) dated July 9, 1959 at page 154-155

Office of the Assistant Director of Health Services Udaipur  
Division, Udaipur.

## ORDER

Udaipur, May 18, 1959.

No. 2816-21-/PH/59.—It is hereby notified that the Asstt. Director of Health Services, Udaipur Division, Udaipur with Headquarters at Udaipur having been appointed Local Authority under the P.F.A. Act, 1954 *vide* rule 3 of the Rajasthan P.F.A. Rules, 1957, shall exercise the powers of a Licensing Authority as provided for in Rajasthan Government Notification No. F. 60 1/A (4) MH/53 dated 28-11-56 published in Rajasthan Gazette, Part IV, dated 20-12-1956 in such of the areas of Division which are not covered by Municipality, a Cantonment or a Notified area.

As provided for in rule 50 part (3) of the Prevention of Food Adulteration Act, 1954, I hereby delegate my powers regarding issue of License to the following Officers in the area which are not covered by a 'Municipality, a Cantonment or is Notified area'.

1. District Medical and Health Officer, Bhilwara, for Distt. Bhilwara,
2. The District Medical and Health Officer, Banswara for Distt. Banswara.
3. The District Medical and Health Officer, Pratapgarh for Distt. Pratapgarh.
4. The Chief Medical Officer, Dungarpur for District Dungarpur.

D. P. KAPOOR,  
Asstt. Director of Health Services.  
Udaipur Division, Udaipur.

Office of the Assistant Director of Health Services, Bikaner  
Division, Bikaner.

## ORDER

Bikaner, June 3, 1959.

No. PH/P.F.A./59/2825.—It is hereby notified that I, Asstt. Director of Health Services, Bikaner Division with Headquarter at Bikaner having been appointed Local Authority under the P. F. A. Act, 1954 *vide* rule 3 of the Rajasthan P. F. A. Rules 1957, shall exercise the powers of a Licensing Authority as provided for in

Rajasthan Government Notification No F. 16/A/(4)MH/53, dated 28.11-56 published in Rajasthan Gazette part IV dated 20-12-56 in such of the areas of Division which are not covered by municipality, a Cantonment or a Notified area.

As provided for in rule 50 part (3) of the P.F.A. Rule 1955, I hereby delegate my powers regarding issue of License to the following Officers in the area which are not covered by a 'Municipality, a Cantonment or is Notified area'.

1. District Medical & Health Officer, Ganganagar.

2. District Medical & Health Officer, (Churu District) Ratangarh.

A. S. NAGPAL.

Asstt. Director of Health Services,  
Bikaner Division, Bikaner.

Office of the Assistant Director of Health Service, Kotah  
Division, Kotah.

#### ORDER

Kotah, May 21, 1959.

No. 2632-34/PFA/59.—It is hereby notified that I, the Assistant Director of Health Services, Kotah Division, with Headquarter at Kotah having been appointed Local Authority under the P.F.A. Act, 1954 *vide* rule 3 of the Rajasthan P.F.A. Rules, 1957, shall exercise the powers of a Licensing Authority as provided for in Rajasthan Government Notification No. F. 60 1/A(4)MH/53, dated 28-11-56 in such of the areas of Division which are not covered by Municipality, a Cantonment or a Notified area.

As provided for in rule 50 part (3) of the P.F.A. Rule 1955, I, hereby delegate my powers regarding issue of License to the following officers in the area which are not covered by a Municipality, a Cantonment, or is Notified area.

1. District Medical & Health Officer, Jhalawar,

G. P. SARIN,  
Asstt. Director of Health Services,  
Kotah Division, Kotah.

*Published in Raj. Raj-patra part IV (c) dated August 6, 1959 at page 425-26*

Office of the Assistant Director of Health Services, Ajmer  
Division, Jaipur.

#### ORDER

Jaipur, April, 27, 1959.

No. 1693-95/PFA/Act/59.—It is hereby notified that I, the Assistant Director of Health Services, Ajmer Division with Headquarter at Jaipur having being appointed Local Authority under the Prevention of Food Adulteration Act, 1954 (Central Act, No. 37 of

1954) *vide* Rule 3 of the Rajasthan Prevention of Food Adulteration Rules, 1957, shall exercise the powers of a Licensing Authority as provided for in Rajasthan Government Notification No. F. 16 A (4) MH/53, dated 28-11-56 published in Rajasthan Gazette Part IV dated 20-12-56 in such of the areas of Ajmer Division, which are not covered by a Municipality, a Cantonment or a Notified Area.

As provided for in Rule 50 part (3) of the Central Prevention of Food Adulteration Rules, 1955, I hereby delegate my powers regarding issue of licences to the Chief Medical Officer, Dholpur for the Revenue areas of Dholpur District, Rajasthan, which are not covered by a 'Municipality', a 'Cantonment' or is a Notified Area.

R. S. BHATNAGER,  
Assistant Director of Health  
Services, Ajmer Division, Jaleb Chowk Jaipur.

## *Notifications under*

### **PREVENTION OF FOOD ADULTERATION RULES, 1954**

**Medical & Public Health Department**

**Jaipur, December 3, 1964.**

**Notification No. F. 8 (25) MPH/60.**—In pursuance of Rule 44A of the Prevention of Food Adulteration Rules, 1955, the State Government hereby prohibits the sale of the following food articles with immediate effect;—

- (a) Kesari Gram (Lathyrus Sativus) and its products.
- (b) Kesari Dal (Lathyrus Sativus) and its products,
- (c) Kesari Dal flour (Lathyrus Sativus) and its products,
- (d) a mixture of Kesari Gram (Lathyrus Sativus) and Bengal Gram (Cicer Arietinum) or any other Gram.
- (e) a mixture of Kesari Dal (Lathyrus Sativus) and Bengal Gram Dal (Cicer Arietinum) or any other Dal,
- (f) a mixture of Kesari Dal (Lathyrus Sativus) flour and Bengal Gram (Cicer Arietinum) flour or any other flour.

No person in the State shall henceforth sell or offer or expose for sale or have in his possession for the purpose of sale, under any description or for use as an ingredient in the preparation of any article of food intended for sale, the above said articles of food.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 11-3-65-page 806 [64]]

**Medical & Public Health Department**

**Jaipur, May 17, 1966**

**Notification No. F. 8 [1] MPH/65/Gr. II.**—In pursuance of sub-section (1) of section 20 of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954) and in supersession of this Department Notification No. F. 8 (1) MPH/65 dated the 26th February, 1966, the State Government hereby authorise the following Railway Officers to Institute prosecution for an offence under the said Act in the area within their jurisdiction.

- (i) Divisional Asstt. Medical Officer, Western Railway, Ratlam
- (ii) Divisional Medical Officer, Western Rly., Kota.
- (iii) Divisional Assistant Medical Officer, Western Rly., Jaipur.
- (iv) Divisional Medical Officer, Western Rly., Ajmer.
- (v) Divisional Medical Officer, [Health] Western Rly., Churchgate, Bombay.
- (vi) Divisional Asst. Medical Officer, Bikaner.
- (vii) Divisional Medical Officer, Jodhpur.
- (viii) Assistant Medical Officer, Incharge, Jodhpur. (Workshop)



- (x) Assistant Surgeon Incharge, Bikaner.
- (xi) Assistant Surgeon Incharge, Ratangarh.
- (xii) Assistant Medical Officer Incharge, Churu.
- (xiii) Assistant Surgeon Incharge Sadulgarh,
- (xiv) Assistant Surgeon Incharge, Lalgah.
- (xv) Assistant Surgeon Incharge, Hanumangarh.
- (xvi) Assistant Medical Officer Incharge, Suratgarh.
- (xvii) Assistant Medical Officer Incharge, Degana.
- (xviii) Assistant Medical Officer Incharge, Merta Road.
- (xix) Assistant Surgeon, Luni.
- (xx) Assistant Surgeon, Barmer.
- (xxi) Assistant Medical Officer Incharge, Samderi.
- (xxii) Sanitary Inspector, Incharge, Bikaner.
- (xxiii) -do- -do- -do- Jodhpur.
- (xxiv) -do- -do- -do- Merta Road.
- (xxv) -do- -do- -do- Barmer
- (xxvi) -do- -do- -do- Lalgah.
- (xxvii) -do- -do- -do- Hanumangarh.
- (xxviii) -do- -do- -do- Ratangarh.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 22-9-66—Page 301]

*Notifications under*

**PREVENTION OF FOOD ADULTERATION ACT, 1954.**

*Published in Raj. Raj-patra Dated Dec. 20, 1956, part IV (c) at page 699-701.*

Medical and Public Health Department

**NOTIFICATIONS**

Jaipur, November 28, 1956.

*No. F. 16 A (4) M.H./53.*—In exercise of the powers conferred by clause (vii) of section 2 of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954) the State Government hereby declares the five Administrative Divisions of Ajmer, Jodhpur, Bikaner, Udaipur and Kotah to be the five Local Areas for the purposes of the aforesaid Act.

Jaipur, November 28, 1956.

*No. F.16 A (4) M.H./53.*—In exercise of the powers conferred by rule 50 (2) of the Prevention of Food Adulteration Rules, 1955, the State Government hereby appoint all Local Authorities as Licensing Authorities for their respective area.

Jaipur, November 28, 1956.

*No. F. 16. A (4) M. H./53.*—In exercise of the powers conferred by section 8 of the Prevention of the Food Adulteration Act, 1954 (Act No. 37 of 1954), the State Government hereby appoints the Assistant Public Analyst, Incharge of the Public Health Laboratory, Jodhpur, as Public Analyst for the Local Area of Jodhpur Division.

Jaipur, November 28, 1956.

*No. F. 16 A (4) M. H./53.*—In exercise of the powers conferred by section 8 of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954), the State Government of Rajasthan hereby appoints the Chief Public Analyst, Jaipur to be the Public Analyst for the whole of the State.

Jaipur, November 28, 1956.

*No. F. 16 A (4) M. H./53.*—In exercise of the Powers conferred by section 9 of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954), the State Government hereby appoints the following persons as Food Inspectors for the areas for which they may be posted for the time being under the designation noted below against each:—

S. No. 1	Name. 2	Designation. 3
1.	Dr. Sunderlal	Distt. Medical and Health Officer.
2.	„ Madan Gopal	do
3.	„ K. D. Sharma	do
4.	„ Kapursingh Sidhu	do
5.	„ S. D. Mohobia	do
6.	„ O. C. Mathur	do
7.	„ K. C. Kalla	do
8.	„ S. K. Mukerji	do
9.	„ M. H. Hakim	do
10.	„ R. B. Agarwal	do
11.	„ A. B. L. Sharma	do
12.	„ D. P. Shrivastava	do
13.	„ K. L. Panjal	Chief Medical Officer.
14.	„ R. P. Sharda	do
15.	„ R. S. Dogra	do
16.	„ H. S. Boroca	do
17.	„ Jagatram	Asstt. Health Officer.
18.	„ M. N. Saxena	do
19.	„ S. R. Kakria	do
20.	„ M. L. Mathur	do
21.	„ B. N. Zutshi	do
22.	„ Rameshwar Goyal	do
23.	„ Shadi Ram	do
24.	„ M. L. Agarwal	do
25.	Shri Ajmersingh Sidhu	Sanitary Inspector.
26.	„ Mahabir Pd. Johari	do
27.	„ Inderchand	do
28.	„ Jagatnarain	do
29.	„ Mohanlal	do
30.	„ Nasirkhan	do
31.	„ Vijai Bahadursingh	do
32.	„ Amolakram Johar	do
33.	„ Mohansingh	do
34.	„ Hetlal	do
35.	„ Chhagansingh	do
36.	„ Jai Singh	do
37.	„ Sultan Mirza	do
38.	„ Shiv Ratan Sharma	do
39.	„ Vishnudutt Sharma	do
40.	„ Jagdish Lal Mathur	do
41.	„ Vishnu Singh	do
42.	„ Dwarka Parshad	do
43.	„ Ramdeo	do
44.	„ Jethmal	do

45.	„	Kishan Sahai Bhatnagar	....	do
46.	„	Nihalsingh	....	do
47.	„	Nemi Chand Jain	....	do
48.	„	Narainlal Tiwari	....	do
49.	„	Padam Singh	....	do
50.	„	Shyam Sunder	....	do
51.	„	S.K. Verma	....	do
52.	„	Kalu Lal	....	do
53.	„	Bhanwar Lal	....	do
54.	„	Hansraj	....	do
55.	„	K.R. Danel	....	do
56.	„	Mohan Singh	....	do
57.	„	Harbilas Sharma	....	do
58.	„	Jai Prakash	....	do
59.	„	Prabhati Lal	....	do
60.	„	Raghubans Narain	....	do
61.	„	Arjun Singh	....	do
62.	„	B.G. Gupta	....	do
63.	„	Radha Kishan	....	do
64.	„	S.P. Bhardawaj	....	do
65.	„	M.M. Sharma	....	do
66.	„	Magan Singh	....	do
67.	„	Murarilal Goyal	....	do
68.	„	S.N. Kulshreshtha	....	do
69.	„	Gopal Saran	....	do
70.	„	Ram Swaroop	....	do
71.	„	Dalpat Singh	....	do
72.	„	Kishan Singh	....	do
73.	„	Ram Kishore	....	do
74.	„	Brij Mohan	....	do
75.	„	Magan Raj	....	do
76.	„	Roop Singh	....	do
77.	„	Kalyan Singh	....	do
78.	„	Jai Kumar	....	do
79.	„	I.D. Rawal	....	do
80.	„	Shyam Sunder	....	do
81.	„	Suraj Prakash	....	do
82.	„	Navneet Lal	....	do
83.	„	Bansi Singh	....	do
84.	„	Shiv Lal	....	do
85.	„	Simnath Raj	....	do
86.	„	Madan Lal Bissa	....	do
87.	„	G.K. Chhagani	....	do
88.	„	Hukeshwar Vyas	....	do
89.	„	Shambhu Singh	....	do
90.	„	Chiranji Lal	....	po
91.	„	Kedar Lal	....	do
92.	„	Foz Roop Rai	....	do

#### 4 ] Notifications under Prevention of Food Adulteration Act, 1954.

93.	„ Mohan Kishan	....	....	do
94.	„ Ramesh Chandra	....	....	do
95.	„ Paras Mal	....	....	do
96.	„ Dharam Singh	....	....	do
97.	„ Deo Kishan	....	....	do
98.	„ Gopi Kishan	....	....	do
99.	„ Dwarka Das	....	....	do
100.	Dr. G P. Sarin	....	....	Health Officer Municipality.
101.	Dr. Govind Singh Gehlot	....	....	do

By Order of the Governor,  
S. P. SINGH BHANDARI,  
Secretary to the Government.

*Published in Raj. Raj-patra Dated April 17, 1953 part II (a) at page 32-33*

Office of the Assistant Director of Health services, Ajmer Division,  
Jaipur.

### ORDERS

Jaipur, January 17, 1951.

I, the Assistant Director of Health Services, Ajmer Division with headquarter at Jaipur, having been appointed Local Authority under the Prevention of Food Adulteration Act, 1954 (Central Act No. 37 of 1954) *vide* Rule 3 of the Rajasthan Prevention of Food Adulteration Rules 1957, for such of the areas of Ajmer Division, which are not covered by a Municipality, a cantonment or a notified area, hereby authorise the officers mentioned in the under noted Schedule, the powers to institute prosecution under Rule 20 of the Prevention of Food Adulteration Act, 1954 (Central Act No. 37 of 1954).

### SCHEDULE

Schedule showing the designation of the officers authorised to institute prosecution under Rule 20 of the Prevention of Food Adulteration Act. 1954 (Central Act No. 37 of 1954) in Ajmer Division.

- (1) Principal Medical and Health Officer, Ajmer.
- (2) Assistant Health Officer, Health Department, Rajasthan Headquarter, Ajmer.
- (3) District Medical and Health Officer, Jaipur.
- (4) Assistant Health Officer, Health Department, Rajasthan, Jaipur.
- (5) Chief Medical Officer, Tonk.
- (6) District Medical and Health Officer, Sikar.
- (7) Assistant Health Officer, Health Department Rajasthan, Sikar.
- (8) Principal Medical and Health Officer, Alwar.

- (9) Assistant Health Officer, Health Department, Rajasthan, Alwar.
- (10) Principal Medical and Health Officer, Bharatpur.
- (11) Assistant Health Officer, Health Department Rajasthan, Bharatpur.
- (12) Chief Medical Officer, Dholpur.
- (13) District Medical and Health Officer, Sawai-Madhopur District, Headquarter Karauli.
- (14) Assistant Health Officer, Health Department, Rajasthan, Karauli.

Jaipur, January 17, 1958.

It is hereby notified that I, the Assistant Director of Health Services, Ajmer Division with headquarter at Jaipur having being appointed Local Authority under the Prevention of Food Adulteration Act, 1954 (Central Act No. 37 of 1954) *vide* Rule 3 of the Rajasthan Prevention of Food Adulteration Rules, 1957, shall exercise the powers of a Licensing Authority as provided for in Rajasthan Government Notification No.F.16A(4) M.H./53 dated 28-11-56 published in Rajasthan Gazette Part IV dated 20-12-56 in such of the areas of Ajmer Division, which are not covered by a Municipality, a Cantonment or a Notified Area.

2. As provided for in Rule 50 part (3) of the Central Prevention of Food Adulteration Rules, 1955, I hereby delegate my powers regarding issue of licences to the officers mentioned in the Schedule attached, Besides signing the licences, these officers shall exercise in their areas all the powers that are vested in a Licensing Authority as per Rule 50 of the Central Prevention of Food Adulteration Rules 1955, and shall be guided by Rules 5, 6, 7 and 8 of the Rajasthan Prevention of Food Adulteration Rules, 1957.

### SCHEDULE

Name of the Area	Officer to whom the powers of Licensing Authority is delegated.	Remarks.
1	2	3
Area of Ajmer Division which are not covered by a Municipality, a Cantonment or a Notified Area, and fall within the Revenue District of:-	(1) Ajmer. Assistant Health Officer, Health Department Rajasthan, head-quarter, Ajmer.	During the periods that the posts of Asstt. Health officer remain vacant, the powers of a Licensing Authority are delegated to:—
	The Principal Medical and Health Officer, Ajmer.	

6 ] Notifications under Prevention of Food Adulteration Act, 1954.

- |                                |   |  |
|--------------------------------|---|--|
| (2) Bharatpur.                 | Assistant Health Officer, Health Department, Rajasthan headquarter, Bharatpur.        | The Principal Medical and Health Officer, Bharatpur.   |
| (3) Sawai Madhopur.            | Asstt. Health Officer, Health Department, Rajasthan; headquarter Karauli.             | The District Medical and Health Officer, District Sawai Madhopur, Headquarter Karauli.   |
| (4) Alwar.                     | Asstt. Health Officers, Health Department, Rajasthan, headquarter Alwar.              | The Principal Medical and Health Officer, Alwar.   |
| (5) Sikar and<br>(6) Jhunjhunu | Asstt. Health Officer, Health Department, Rajasthan headquarter Sikar.                | The District Medical and Health Officer Sikar, the Distt. Medical and Health Officer, Jaipur will exercise all the powers of a Licensing Authority as are delegated to the Asstt. Health Officer in their Revenue Districts. |
| (7) Jaipur                     | Asstt. Health Officer, Health Department, Rajasthan, headquarter Jaleb Chowk, Jaipur, |  |
| (8) Tonk                       | Chief Medical Officer, Tonk.  |  |

R.S. BHATNAGAR,

Asstt Director of Health Services,  
Ajmer Div. Jaipur.

*Notifications under*

**Prevention of Food Adulteration Act, 1954**

*Published in Raj. Raj-patra part IV (c) dated January 27, 1961 at page 361*

Local Self-Government Department

**NOTIFICATION**

*Jaipur, January 23, 1961.*

No. 24653/F. 8 (160) LSG/60.—In exercise of the powers conferred by section 20 of the Prevention of Food Adulteration Act, 1954 ( Central Act No. 37 of 1954 ) the State Government hereby authorises Administrators appointed under the Rajasthan Municipalities Act, 1959 ( Act No. 38 of 1959 ) to institute prosecution for an offence under the Prevention of Food Adulteration Act, 1954 or to give consent for such prosecution.

By Order of the Governor,

P. N. SETH

Dy. Secretary to Government



*Notifications under*

**Rajasthan Prevention of Food Adulteration Act, 1957**

*Published in Raj- Raj-patra part II (a) dated December 14, 1961 at page 178 :*

Office of the Asstt. Director of Health Services, Bikaner  
Division, Bikaner.

**ORDER**

*Bikaner, August 2, 1961.*

No. P, H./P. F. A /61/4576.—It is hereby notified that I, the Asstt. Director of Health Services, Bikaner Division with Head-quarter at Bikaner having been appointed local Authority under the P. F. A. Act, 1954 vide rule 3 of the Rajasthan P. F. A. Rules, 1957, shall exercise the powers of a Licensing Authority as provided for in Rajasthan Government Notification No. F. 6916/A (4) MH/52, dated 28-11-56 published in the Rajasthan Gazette Part IV dated 20-12-56 in such of the areas of Division which are not covered by Municipality or Cantonment or a Notified area.

As provided for in rule 50 Part (3) of the P. F. A. Rule, 1955 I, hereby delegate my powers regarding issue of licence to the following officer in the area which are not covered by a 'Municipality a Cantonment or Notified area.'

1. Distt. Health Officer, Churu Distt., Churu.

**NOTIFICATION**

*Bikaner, August 2, 1961.*

No. PH/P. F. A./61/4583.—It is hereby notified that I, Assistant Director of Health Services, Bikaner Division, Bikaner withdraw my powers regarding issue of licence delegated under rule 50 Part (3) of the P. F. A. Rules, 1955 under my Order No. PH/P F.A./59/2825-28 dated 3rd June, 1961 from the Distt. Medical & Health Officer, (Churu District) Ratangarh with immediate effect.

**A. S. NAGPAL,**

Asstt. Director of Health Services,  
Bikaner Division, Bikaner.

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*Rules and Notifications under*

PREVENTION DETENTION ACT, 1950.  
( CENTRAL ACT No. 4 OF 1950 ).

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# The Rajasthan Conditions of Detention ORDER, 1952.

## Notes.

The State Government has prescribed these conditions as required under Section 4 of Preventive Detention Act, 1950. The enabling Section reads as under:—

Every person in respect of whom a detention order has been made shall be liable—

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and

(b) to be removed from one place of detention to another place of detentions whether within the same State or in another State, by order of the appropriate Government :

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

## HOME DEPARTMENT.

### NOTIFICATION.

Jaipur, May 14, 1952.

No. F. 6 (37) Police II/51.—In exercise of the powers conferred by section 4 of the Preventive Detention Act, 1950 (No. IV of 1950), the Government of Rajasthan is pleased to determine as follows the conditions of detention of persons ordered under the Act to be detained in any prison in Rajasthan, namely :—

1. This Order may be cited as the Rajasthan Conditions of Detention Order, 1952.

(2) It shall apply to all persons ordered to be detained in Rajasthan by an order under section 3 of the Preventive Detention Act 1950 (No. IV of 1950) :

Provided that the Government may direct that the provisions of this Order shall apply in relation to a detenu or any class of detenues with such modifications as may be specified in the direction.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context:—

- (1) "Act" means the Preventive Detention Act, 1950 (No. IV of 1950) as amended by the Preventive Detention (Amendment) Act, (No. IV of 1951) ;
- (2) "Detenu" means any persons detained in Rajasthan by an order under section 3 of the Act ;
- (3) "Government" means the Government of Rajasthan.
- (4) "Inspector General" means the Inspector General of Prisons, Rajasthan ;
- (5) "Jail" means any prison as defined in section 3 of the Prisons Act, 1894, of the Central Legislature as adapted

to Rajasthan and in addition any place which has been declared by the Government by general or special order to be a subsidiary Jail;

- (6) "Prisoner" means a person, other than a detenu, duly committed to and confined or detained in a Jail ;
- (7) "Superintendent" means the officer appointed to be the Superintendent of the Jail and includes any person who for the time being is acting as Superintendent.

3. *Classification.*—(1) Detenus shall be classified as class I or class II detenus according to the State of their health and their education, status and mode of living before arrest

(2) The classification of each detenu shall be made by the authority passing the order of detention :

Provided that where a District Magistrate or an Additional District Magistrate classifies a detenu as class I detenu, the classification will be provisional and subject to confirmation by the Government.

(3) Subject to the other provisions of this Order, detenus of classes I and II shall ordinarily be treated in the same manner as may for the time being be prescribed respectively for B and C class prisoners.

4. *Custody and Procedure.*—(1) Detenus shall ordinarily be removed to and detained in any of the Jails in Rajasthan specified for the purpose by the Government.

(2) Detenus shall be kept in cells or association wards preferably the latter and allowed to associate freely with each other, but as far as possible, shall be kept separate from ordinary prisoners :

Provided that, if the number of detenus of the same class is large, they may be divided into homogeneous groups :

Provided further that the Superintendent may detain any detenu separately if he considers it desirable on grounds of health or for any other reasons.

(3) Detenus shall be allowed to sleep in the open during summer.

(4) Detenus may with their consent be assigned tasks by the Superintendent with due regard to their health, physical and mental capacity, character and antecedents and shall be granted remuneration for their labour at such rates as may be prescribed by the Government.

(5) The Superintendent may direct that detenus shall be locked up at night not later than one hour after the general lock-up time. The unlocking of cells and association wards and the use of the latrines and baths shall be regulated in accordance with prison routine.

5. *Diet.*—Detenus of class I and II shall be entitled to the same diet as is prescribed for prisoners of class B and C respectively:

Provided that detenus of both classes may with the permission of the Superintendent be permitted to receive food from private sources to the same extent and in the same manner as civil prisoners:

Provided further that detenus of the same class may, if they so wish, be permitted by the Superintendent to receive cash equivalent of the diet collectively with a view to running a common mess for themselves.

6. *Clothing and Bedding etc.*—(1) Each detenu may wear his own clothes and relations may, if permitted so to do by the Superintendent, send him extra clothing and bedding. Each detenu who is unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and bedding on the same scale as a civil prisoner of the corresponding class.

(2) A detenu shall be allowed to bring his own feeding utensils, but if for any reason he is unable to do so, the Superintendent shall allow him such utensils as are admissible to a "B" or "C" class prisoner according as he is a class I or class II detenu respectively.

7. *Searches.*—Every detenu and his cell or ward shall be searched not less than once a week and oftener if the Superintendent considers it necessary, by such Jail official not below the rank of a Head-warder as detailed by the Superintendent. Special precaution shall be taken to make the searches thorough and the fact of the search shall be noted in the Jailor's note book. Detenus shall be searched before and after interviews and at any other time if the Superintendent considers it necessary. In conducting the search of the detenu privacy shall be observed and care shall be taken to avoid humiliation.

8. *Supply of funds.*—(1) A detenu may, with the previous sanction of the Detaining Authority, receive from a specified relative or friend, at intervals of not less than a month, an amount not exceeding Rs. 20/- per month if he is a class I detenu and Rs. 10/- per month if he is a class II detenu and may spend the amount or a similar sum from his private funds on such object and in such manner as may be permissible under the rules. In cases in which for want of funds any detenu is compelled to do without small amenities which his fellow detenus enjoy, such amenities may, if considered absolutely necessary by the Superintendent, be supplied to him at Government cost.

(2) All funds so received shall be kept by the Superintendent and spent by him on behalf of the detenu.

(3) Amounts in excess of those prescribed in subclause (1) may be received by the Superintendent on behalf of detenus but they shall not be spent in any month beyond the limits laid down in the said sub-clause.

9. *Furniture.*—(1) Wherever accommodation permits a class I detenu if in a separate cell, shall be supplied with the following furniture at Government expense :—

Bed, iron, hospital pattern	...	...	...	1
Table, wooden	...	...	...	1
Chair wooden	...	...	...	1
Book-shelf, wooden small	...	...	...	1
Commode, wooden small	...	...	...	1
Chamber pot	...	...	...	1
Mattress, thin	...	...	...	2
Pillows	...	...	...	4
Pillow slips	...	...	...	1
Mosquito-net	...	...	...	1
Basin, wash hand	...	...	...	1
Jug, Water	...	...	...	1
Lamp reading (where no electric light is available)	...	...	...	1

A reasonable amount of private furniture may be permitted at the discretion of the Superintendent.

(2) Detenus of Class II shall be provided with such furniture as is admissible under the rules to C class prisoners and may, if they so desire, be permitted to get from their relatives mosquito nets.

10. *Toilet Articles*.—(1) The following toilet articles, according to the scale mentioned below shall be given, at Government cost to each detenu :—

- (a) Toilet soap      .... 1 cake a fortnight.
- (b) Washing soap      .... 2 Chhataks per week.
- (c) Mustard oil      .... 2 Chhataks per week.
- (d) Neem Stick      .... 1 a day.

(2) In addition to these items, one comb shall be supplied to each detenu who is not receiving private remittances.

11. *Photographs and finger Prints*.—The Superintendent of Police or any Police Officer authorised by him in this behalf may take photographs and register finger prints of detenus in Jails.

12. *Interviews*.—(1) Save in accordance with an order of the Superintendent in writing no detenu shall be permitted to have an interview with any person other than a police officer.

(2) The number of interviews shall not ordinarily exceed one per fortnight in the case of a class I detenu and one per month in the case of a class II detenu

(3) Applications for interviews from persons other than police officers shall be made in the following form :—

- (a) Name of the detenu to be interviewed.
- (b) Name of the Applicant.
- (c) Relationship to the detenu of applicant.
- (d) Full address of the applicant.
- (e) Purpose for which interview is desired.
- (f) Date on which interview is desired.

Date.....

Hour.. ....

Signature of applicant.

(4) Applications for interviews shall be dealt with by the Superintendent who may, subject to any general or special directions from time to time issued by the Government, either grant or refuse an interview.

(5) Not more than three persons shall be permitted to visit a detenu at one interview. Persons admitted for interview may be allowed, at the discretion of the Superintendent, to take children under 10 years of age with them ; and any children so permitted shall not be counted against the maximum of three persons.

(6) Interviews shall ordinarily be allowed on Thursdays, but in special circumstances where this would entail hardship, the Superintendent is authorised to allow an interview on any other day of the week. All cases in which a Superintendent allows an interview on a day other than a Thursday shall be reported by him forthwith to the Inspector General. Intimation of the date and time fixed for all interviews shall be given by the Superintendent not less than 12 hours in advance, in order that arrangements may be made for the attendance of the officer referred to in sub-clause (8).

(7) Interviews with relatives *i.e.* wife, husband, father, mother, brother, sister, son, daughter, uncles, aunts and children of brothers and sisters shall be limited to an hour's duration and those with others to half an hour.

(8) All interviews shall take place in the presence of an Officer not below the rank of a Sub Inspector deputed for the purpose by the Inspector General of Police, Rajasthan and such officer may stop the interview if the conversation turns on any undesirable subject, and may also report the matter to the Superintendent, who may inflict any of the punishments enumerated in clause 16. Subject to this provision, the place and mode of all interviews shall be determined by the Superintendent. It shall be the responsibility of the Superintendent to see that the detenu and his interviewers are provided with chairs.

(9) The Inspector General may, at his discretion, in special cases, increase the number of persons, permitted to be present at an interview, and the number of interviews allowed to a detenu. All orders passed by him in exercise of this power shall be reported to the Government.

(10) In addition to the interviews permissible under the foregoing provisions of this clause, a detenu may, with the permission of the District Magistrate, interview his legal adviser or any other person of his choice in connection with a pending or contemplated proceeding in a Court of Law, or for the purpose of drafting any representation against his detention.

Applications for such interviews will be made to the District Magistrate, who will see that the privilege of the legal adviser is

allowed and neither any police officer nor an official of the Jail Department will be in hearing distance when the detenu is instructing his legal adviser.

#### Notes.

First sentence of clause (10) of rule 12 beginning with words, "In addition to the interviews" and ending with "his detention" has been substituted for the sentence reproduced below vide amending notification No. F. 15 (47) Home-1/52 dated 18/3/53, published in Rajasthan Rajpatra part I dated 21/3/53 :—

In addition to the interviews permissible under the foregoing provisions of this clause, a detenu may, with the permission of the District Magistrate, interview his legal adviser in connection with a pending or contemplated proceeding in a Court of Law.

(12) A statement will be maintained by the Superintendent of all interviews between a detenu and his relatives with the names of the persons present at each interview.

13. *Police interviews*:—(1) Subject to the directions of the Government, the Inspector General of Police, Rajasthan, may by general or special orders, authorise any police officer, either singly or with another police officer and accompanied or unaccompanied by subordinate police officers to interview any detenu.

(2) The police officers so authorised shall be allowed to interview detenues in their cells or wards on their making a written requisition to this effect at the time of interview. In visiting the cells or wards, every police officer shall be accompanied by such escort as the Superintendent considers necessary for his safety. The escort, if the police officer so requires, shall stand out of ear-shot, but within sight, while he is speaking to any of the detenues.

(3) The police officers so authorised shall be allowed to interview detenues in the ordinary interview room without a Jail officer being present on making a written request to that effect.

14. *Correspondence and Censorship*:—(1) Detenues of class I and II shall ordinarily be permitted to write respectively 4 and 2 letters each, and receive as many as they like, every week.

(2) No detenu shall write a letter to any other detenu and not more than one letter shall be enclosed in one envelope, except with the special permission of the Superintendent. All correspondence to and from a detenu shall be confined to purely domestic matters, or subjects relating to the welfare of the detenu and his near relatives. Letters containing references to communal or political matters shall be withheld as laid down in sub clause (4).

(3) No letters, newspapers or other communications, shall be transmitted to or from a detenu except through the Superintendent or such other officer as the Government may, by general or special order, designate in this behalf.

(4) All letters to and from detenues shall be persued by the Superintendent and, subject to any general or special order of the Government, shall be submitted by the Superintendent direct to the



Inspector General of police, Rajasthan, who may at his discretion withhold them.

(5) All books or other publication including newspapers and periodicals except prescribed books or publication shall be transmitted to and from detenus by the Senior police Officer of the District through the Superintendent. A list of prescribed books and publications shall be maintained by the Superintendent. Any books or publications found by a Senior police Officer as generally permissible shall be added to the list. The Senior police Officer may at his discretion, withhold any books or publications. In cases in which books or publications have been withheld, a report shall be made to the District Magistrate and, subject to his censorship, books or publications shall be transmitted to the detenus. Only such books or publications shall be withheld as preach or glorify violent overthrow of the democratic form of Government and the like. The newspapers permitted by the Government shall be handed over to the detenus without prior censorship. A list of prescribed books and publications which are to be withheld shall be added to the list.

where in the opinion of the Superintendent any matter in the newspaper or periodical is unsuitable on grounds of public interest and safety such matter shall be deleted before the newspaper or periodical is delivered to the detenu.

(6) If in any communication made by, or intended to be delivered to, a detenu anything objectionable from the point of view of Jail discipline is found by the Superintendent, he may delete the same or mark it for deletion, and mention what has been done when forwarding such communications to the proper authority.

In addition to newspapers, periodicals, and books which may be received under sub-clause (5) any detenu who receives funds from outside may be allowed to purchase from such funds newspapers, periodicals and books subject to the conditions laid down in sub-clause (1), (2) and (3).

(8) Every letter forwarded to or from a detenu shall be initialled and dated by the Officers who handle the letter.

(8) In all cases in which a letter is withheld the detenu shall be informed, through the Superintendent of the fact. All letters withheld shall be sent to the Inspector General of Police, Rajasthan, or any other officer designed by the Government in this behalf, who may at his discretion either retain or destroy them.

(9) The following procedure shall be followed with regard to the despatch of telegrams to and from detenus:—

(a) When the telegram is to or from Government it shall be forwarded direct provided that the Chief Secretary to the Government of Rajasthan shall always be the intermediary in correspondence with the Central Government. It shall be the duty of the Superintendent to ensure that only telegrams the urgency of the contents of which justi-

fies to use of telegraphic transmission shall be despatched by a detenu. Any telegram despatched by a detenu which in the opinion of the Superintendent does not conform to this standard of urgency, shall be considered to be a letter to be included in the total number of letters permitted to be written by the detenus under sub-clause (1) of clause 14 and the detenu shall be informed accordingly in each case. The Superintendent may despatch any telegram form a detenu including a petition submitted in telegraphic form by post instead of by telegram in any case where, in his opinion, the subject matter is not of sufficient urgency to justify transmission by telegram.

- (b) Telegrams to and from private individuals shall pass through police censorship in the absence of special orders of the Government to the contrary.

(10) Detenus shall attach to all their outgoing correspondence (including telegrams) a slip containing the full name and address and relationship, if any, of the addressee, and of each person mentioned in the letter or telegram. These slips shall be sent to the Inspector General of Police, Rajasthan, or other officer designated by the Government in this behalf, who if he considers that the writer should not be allowed to correspond with the addressee, shall inform the Superintendent accordingly for his further guidance.

14 A. *Certain communications of detenus who are members of the Legislature.*—Notwithstanding anything contained in clause 14, no communication between a detenu who is a member of a House of Legislature in India and the Speaker or Chairman of that House or the Chairman of the Committee of privileges set up by that house shall be withheld so long as it relates to the rights, powers and privileges of the detenu as such member, or transmits a starred or unstarred question to be put in the House:

Provided that, in forwarding any such communication from a detenu who, having been elected or nominated to a House of Legislature, has not complied with the requirements of Article 99 or Article 188 of the Constitution of India, the attention of the Speaker or Chairman, as the case may be, shall be drawn to such non-compliance.

#### Notes.

Rule 14A has been newly added vide amending Notification No. F. 15 (47) Police-A/52 dated 26/8/52 published in Rajasthan Rajpatra volume 4 number 90 part I dated 30/8, 52.

15. *Writing Material.*—All detenus shall be supplied writing material at their own expenses, provided thht the supply of paper shall be subject to the following conditions.—

(1) It shall be supplied in small quantities at a time and shall before delivery to the detenu be numbered and Jail stamp affixed to it; and

(2) An additional lot shall not be supplied unless the paper already supplied is produced or is found to have been properly used.

16. *Offences and punishments.*—(1) A detenu—

- (i) shall reside in the accommodation allotted by the Superintendent whether in an association ward or a cell,
- (ii) shall not proceed beyond the limits of the Jail save with permission of the Superintendent given by general or special order in this behalf,
- (iii) shall obey the orders of the Superintendent issued from time to time for the comfort, safety and health, or for the discipline, orderly conduct and control, of detenus,
- (iv) shall attend roll-call and answer to his name in person at such time and place within the Jail as may be appointed by the Superintendent,
- (v) shall conform to the standards of cleanliness and dress laid down by the Superintendent,
- (vi) shall not do anything wilfully with the object of affecting his own bodily welfare.
- (vii) shall not have in his possession any coin, currency notes or negotiable instruments, any weapons, sticks, razors, other than a safety razor, pieces of iron or any other articles which may be used as a weapon,
- (viii) shall not exchange or sell any of his kit, equipment, cloths furniture or other possession, and
- (ix) shall not refuse to take the prescribed diet.

(2) Any detenu who contravenes any of the provisions or sub-clause (1) or refuses to obey any order issued thereunder, or does any of the following acts, namely:

- (i) assaults insults, threatens, or obstructs any prisoner, or detenu or any officer of the Jail or any other Government servant or any person employed in or visiting the Jail, or
- (ii) quarrels with any person in the Jail, or
- (iii) is guilty of indecent, immoral or disorderly conduct, or
- (iv) communicates or attempts to communicate with any person outside the Jail in any unauthorised manner, or
- (v) bribes or attempts to bribe any Government servant or any person employed in or visiting the Jail, or
- (vi) commits any nuisance or wilfully befouls any well, latrine, washing, or bathing places, or
- (vii) disobeys the orders of, or shows disrespect to any officer of the Jail, or
- (viii) wilfully damages any property belonging to Government or tempers with any locks, lamps or lights in the Jail, or
- (ix) receives, possesses or transfers any article in contravention of an order of the Superintendent, or
- (x) feigns illness, or

- (xi) wilfully brings a false accusation against any officer of the Jail or prisoner or detenu, or
- (xii) omits or refuses to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape and any attack or preparation for attack upon any officer of the Jail, or
- (xiii) abets the commission by a prisoner or detenu of any of the foregoing acts, or
- (xiv) omits or refuses to help any officer of the Jail in the case of an attempted escape on the part of any of the prisoner or detenus, shall be deemed to have committed a Jail offence.

(3) (a) Where upon such enquiry as he thinks fit to make, the Superintendent is satisfied that a detenu is guilty of a Jail offence, he may award the detenu one or more of the following punishments:—

- (1) Confinement in a cell for a period not exceeding fourteen days;
- (2) Reduction or alteration of diet for a period not exceeding fourteen days;
- (3) Cancellation or reduction, for a period not exceeding two months of the concession of receiving funds from outside,
- (4) Cancellation or reduction, for a period not exceeding two months, of the privileges of writing and receiving letters or of receiving newspapers and books;
- (5) Cancellation or reduction, for a period not exceeding two months, of the privileges of having interviews;
- (6) Cancellation of the privilege of wearing his own cloths.

(d) If any detenu is guilty of a Jail offence which, by reason of having frequently been committed or otherwise, is in the opinion of the Superintendent not adequately punishable by him under the provisions of sub-clause 3 (d) he may forward such detenu to the Court of a Magistrate of the first class having jurisdiction, and such Magistrate shall thereupon inquire into and try the charges so brought against the detenu and upon conviction shall sentence him to imprisonment for a term not exceeding one year;

Provided that where the act constituting the offence constitutes an offence punishable under the Indian Penal Code with imprisonment for a term exceeding one year, nothing in this clause shall preclude the detenu from being tried and sentenced for such offence in accordance with the provisions of the Indian Penal Code.

(4) The Superintendent may use or require to be used such force as may in his opinion be necessary to compel obedience on the part of any detenu to any lawful order issued by him.

17. *Retention of watches*—The detenus shall be allowed to keep their watches with them in the Jail but no responsibility for their safety will be taken by the Government.

18. *Recreation*—The detenus shall be allowed to play volley ball and badminton if there is room in the Jail for this and the number of detenu warrants.

They shall be allowed to play indoor games like chess and playing-cards at their own expense.

19. *Smoking*.—The detenus shall be allowed to smoke cigarettes at their own expenses.

20. *Non-Official Visitors*.—Non-official Visitors, appointed by the Government, may visit the detenus also.

21. *Application or Representations*.—(1) The Superintendent shall forward through the Inspector General, with such observations as he may think fit, any representation which a detenu may submit to the Government.

(2) The Superintendent shall forward to the Government without delay any petition which a detenu may address to it :

Provided that when the application or representation is addressed to a court, it will be forwarded to that court by the Superintendent direct.

22. *Transfer of Detenus to Civil Hospital in Emergent Cases*—(1) In cases where it is necessary to remove a detenu to a civil hospital outside the Jail for operative or other special treatment which cannot conveniently be given in the Jail itself, the orders of the Government shall be obtained. In emergent cases the Superintendent is authorised to anticipate the sanction of the Government, but he should make an immediate report of all cases in which he avails himself of the authority. The Superintendent should ask the Inspector General of Police, Rajasthan, to make arrangements for guarding these detenus during their stay in the Hospital. For the purpose of Jail discipline, the Superintendent should depute a Jail official to see that the provisions of the Order are properly observed.

(2) In respect of a detenu detained in a Hospital under sub-clauses (1), the preceding provisions of the Order shall apply, as far as may be, as if

- (a) all references to the Jail were references to the Hospital, or
- (b) all references to the Superintendent were references to the Principal Medical Officer or the Medical Officer-in-Charge of the Hospital, as the case may be.

23. *Transfer*—Detenus shall be transferred from one Jail to another within Rajasthan with the sanction of the Inspector General.

24. *Miscellaneous*—(1) All particulars relating to detenus shall be entered (without serial number) in the register of Civil prisoners and all statistics of detenus shall be shown separately in Jail returns.

(2) A copy of the Order shall be shown to the detenus on their arrival in a Jail.

(3) Such other local instructions as may be necessary for the guidance of Jail officers may be issued by the Inspector General in consultation with the Government.

25. *Detention*—A detenu who is transferred from the State of Rajasthan to any other State shall be detained in the Jail of that State and shall be governed by the Rules for the time being in force in that State to which he is transferred.

By Order of

His Highness the Rajpramukh  
BHAJANLAL CHATURVEDI,  
Secretary to the Government.

*Notifications under*

**PREVENTIVE DETENTION ACT, 1950.**

*Published in Raj. Raj-patra Vol.2 part I at page*

Political Department (C).

**NOTIFICATIONS.**

Jaipur, April 18, 1950.

No. F. 11 (11) Pol. (C)/49.—In pursuance of section 4 of the Preventive Detention Act, 1950 (No. IV of 1950), the Government of Rajasthan is pleased to direct that any person detained in accordance with the provisions of the said Act shall be so detained in any of the jails in Rajasthan.

The Government is further pleased to direct that this order shall also have effect in regard to persons already detained before the issue of this order.

By Order of H. H. the  
Raj Pramukh.

K. RADHAKRISHNAN,  
Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 No. 43 Dated 12-8-50 part I at page 339.*

Political Department.

Jaipur, August 7 1950.

No. F. 11 (11)-Pol. (C)49.—In pursuance of section 4 of the Preventive Detention Act, 1950 (No. IV of 1950), the Government of Rajasthan is pleased to direct that any person detained in Rajasthan in accordance with the provisions of the said Act shall, when ever it is necessary for the detenu to stay in Delhi in connection with any *habeas corpus* petition filed before the Supreme Court by such detenu, be governed by the Delhi Detenus (Revised) Rules, 1950.

By Order of  
His Highness the Raj Pramukh,  
K. RADHAKRISHNAN,  
Chief Secretary to the  
Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 2 Dated March 28, 1951 part IV (b) at page 291*

Government of Rajasthan

Political Department

**NOTIFICATION.**

Jaipur, March 28, 1951.

No. F. 39 (1)-C/51.—In pursuance of section 8 of the Preventive Detention Act, 1950 (No. IV of 1950,) as amended by the Preventive Detention (Amendment) Act, 1951 (No. IV of 1951),

the Government of Rajasthan is pleased to constitute an Advisory Board consisting of the following persons for the purposes of the said Act:—

- (1) The Hon'ble Justice Shri Jawan Singh Ranawat, Puisne Judge, High Court of Judicature for Rajasthan.
- (2) Shri D. S. Dave, B.A., LL.B.
- (3) Kanwar Amar Singh District Judge, Jaipur.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary  
to the Government of Rajasthan.

*Published in Raj. Raj-patra Vol. 4 No. 59 Dated June. 9, 1952 part I at page 241.*

### NOTIFICATION.

Jaipur, June 9, 1952.

No. D 2876/Police A/52.—In pursuance of section 8 of the Preventive Detention Act, 1950 (No. IV of 1950), as amended by the Preventive Detention (Amendment) Act, 1951 (No. II of 1951), the Government of Rajasthan is pleased to appoint the Hon'ble Shri Justice K. K Sharma until further orders as Member of the Advisory Board in the vacancy caused by the transfer of Shri Amar Singh, R.J.S, District & Sessions Judge.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary to the Government.

*Published in Raj. Raj-patra Vol. 4 Dated January 3, 1953 part I at page 921:*

Home Department

### NOTIFICATION.

Jaipur, December 31, 1952.

*Reference:—*This Department No. F. 15 (54) Police-A/52, dated 3/4th July, 1952.

No. F. 15 (54) Home-I/52.—In exercise of the powers conferred by sub-section (3) of section 8 of the Preventive Detention Act, 1950 (No. IV of 1950), the Government of Rajasthan is pleased to appoint Justice Shri Jawan Singh Ranawat, Judge, High Court of Judicature for Rajasthan, Jaipur, as Chairman of the Advisory Board, constituted under sub-section (1) of the said section of the said Act.

By Order of  
His Highness the Rajpramukh,  
S. W. SHIVESHWARKAR,  
Chief Secretary to the Government.



*Published in Raj. Raj-patra Vol. 4 No. 69 Dated July 5, 1953 part I at page 331.*

Home Department.

NOTIFICATION.

Jaipur, July 3/4, 1952.

*No. F. 15 (54) Police-A/52.*—In pursuance of section 8 of the Preventive Detention Act, 1950 (No IV of 1950), as amended by the Preventive Detention (Amendment) Act, 1951 (No. IV of 1951), the Government of Rajasthan, is pleased to constitute an Advisory Board consisting of the following persons for the purposes of the said Act—

- (1) The Hon'ble Justice Shri Jawan Singh Ranawat, Judge, High Court of Judicature for Rajasthan, Jaipur.
- (2) Shri D. S. Dave, B.A., LL.B.
- (3) Shri Anand Narain Kaul, District & Sessions Judge, Jaipur.

This Department's notification No. 2876/Police-A/52, dated 9-6-52, is hereby superceded.

By Order of

His Highness the Rajpramukh,  
S.W. SHIVESHWARKAR,

Chief Secretary to the Government.

*Published in Raj. Raj-patra Vol. 5 Dated January 21, 1954 part I at page 1087.*

Home Department.

NOTIFICATION.

Jaipur, January 20, 1954.

*No. F. 15-(54) Home-I/52.*—In pursuance of section 8 of the Preventive Detention Act 1950 (No. IV of 1950), the Government of Rajasthan is pleased to appoint Shri Sumer Nath Gurtu, District and Sessions Judge, Jaipur (West) to be a Member of the Advisory Board (Constituted vide Home Department Notification No. F. 15 (54) Police-A/52, dated the 4th July, 1952) vide Justice Shri D. S. Dave.

By Order of

His Highness the Rajpramukh,  
B. G. RAO,

Chief Secretary to the Government.

*Published in Raj. Raj-patra Dated October 17, 1957 part I (a) at page 224.*

Home (A) Department

NOTIFICATION

Jaipur, October 4, 1957.

*No. F. 15 (54) Home I/52.*—In pursuance of Section 8 of the Preventive Detention Act, 1950 (Act No. IV of 1950), the Government of Rajasthan is pleased to appoint vice Shri Sumer Nath Gurtu, Shri Lahar Singh Mehta, District & Sessions Judge, Jaipur, City to be a Member of the Advisory Board (Constituted under Home Department Notification No. F. 15 (54) Police A/52. dated the 4th July, 1952).

By Order of the Governor

SAMPAT MAL,

Secretary to the Government.

*Notifications under*

**RAJASTHAN CONDITIONS OF DETENTION ORDER, 1952.**

*Published in Rajasthan Raj-patra Dated April 28, 1956 part I (b) at page 147*

Jaipur, April 21, 1956.

No. F. 15 (9) H.I./55. D. 29/DS 11/C.—In continuation of this Department Notification of even number, dated the 1st October, 1955, Government of Rajasthan hereby specify Sub-Jail, Pratapgarh also for the purpose of custody and detention of detenus in pursuance of sub-clause (1) of Clause 4, of the Rajasthan, Condition Order, 1952.

By Order of  
His Highness the Rajpramukh,  
S. D. UJWAL,  
Secretary to the Government.

*Notifications under*

**PREVENTIVE DETENTION ACT, 1950-**

*Published in Raj. Raj-patra part I (a) dated June 4, 1959 at page 71*

**Home (A) Department**

**NOTIFICATION**

**Jaipur, May 11, 1959.**

No. D. 4191/59/F. 5/1 (2) Home (A)/58—In exercise of the powers conferred by sub-section (3) of section 8 of the Preventive Detention Act, 1950 (IV of 1950) and in supersession of this Department Notification No. F. 15 (54) HA/52, dated the 11th January, 1956, the State Government hereby appoints Shri Justice Kanwar Lal Bapna, Judge, Rajasthan High Court, Jodhpur as Chairman of the Advisory Board, constituted under sub-section 1 of the said section of the said Act, vice Shri Justice K. K. Sharma.

By Order of the Governor,  
Z. S. JHALA,  
Secretary to the Government.

*Notifications under*

**Preventive Detention Act, 1950**

*Published in Rajasthan Raj-patra part I (b) dated May 5, 1961 at page 13*

Home 'A' Department

**NOTIFICATION**

*Jaipur, May 5, 1961.*

No. F. 7/2 (1) HA (Gr. I)/61.—In exercise of the powers conferred by sub-section (2) of section 8 of the Preventive Detention Act, 1950 (Central Act IV of 1950), the State Government hereby appoints Hon'ble Justice Shri J. S. Ranawat, Judge, Rajasthan High Court, Jodhpur as a member of the Advisory Board, constituted under sub-section (1) of the said section of the said Act, vice Shri Justice Kanwar Lal Bapna.

By Order of the Governor,

Z. S. JHALA,

Home Secretary to the Government.

Home (A) Department

**NOTIFICATION**

*Jaipur, May 5, 1961.*

No. F. 7 2 (1) HA (Gr. I)/61.—In exercise of the powers conferred by sub-section (3) of section 8 of the Preventive Detention Act, 1950 (Central Act IV of 1950), the State Government hereby appoints Hon'ble Justice Shri J. S. Ranawat, a member of the Advisory Board constituted under sub-section (1) of the said section of the said Act, to be its Chairman.

By Order of the Governor,

Z. S. JHALA,

Home Secretary to Government.

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*Rules and Notifications under*

PREVENTION OF MIRTYU BHOJ ACT, 1960.  
( RAJ. ACT No. 1 OF 1960 ).

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# Rajasthan Prevention of Mrityu Bhoj Rules, 1961.

Revenue 'D' Department

Jaipur, April 12, 1961.

No. F. 34 (82) Rev D/60.—In exercise of the powers conferred by section 11 of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 (Rajasthan Act 1 of 1960), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Prevention of Mrityu Bhoj Rules, 1961.

(2) They shall come into force at once.

2. *Interpretation*—In these rules, unless there is anything repugnant in the subject or context—

(i) "Act" means the Rajasthan Prevention of Mrityu Bhoj Act, 1960; and

(ii) "Code" means the Code of Criminal Procedure, 1908 (Central Act 5 of 1908).

3. *Issue of injunctions.*—(1) The competent court shall issue an injunction under section 5 of the Act.

(i) forthwith, where the information is received in written from a Sarpanch, Panch, Patwari or Lambardar.

(ii) after examination on oath of the person giving the information, where such information is given orally.

(2) Such injunction shall be, so far as may be, issued in the form appended to these rules and shall be served in ordinary course through the Police who will watch and report to the court any breach or defiance of the said injunction. Where injunction is issued on receipt of a written intimation of a Sarpanch, Panch, Patwari or Lambardar, a copy of the injunction may also be sent to such Sarpanch, Panch, Patwari or Lambardar with a direction to him to report any breach or defiance thereof.

4. *Information under sub-section (i) of section 7 of the Act.*—If the information received under Sub-section (1) of section 7 of the Act is not a complaint within the meaning of Clause (a) of Sub-section (1) of section 190 of the Code, the competent Magistrate, subject to the provisions of section 191 of the Code may—

(i) where such information is in writing, issue process against the accused and simultaneously summon the informant and any other person, if any named therein, to give evidence; and

(ii) where such information is oral, examine the person conveying the information forthwith and issue process on the basis of such examination.

5. *Levy of fees and payment of expense*:—No fee shall be levied on a process issued on a complaint made by a Sarpanch, Panch, Patwari or Lambardar, and the witnesses shall normally be paid travelling expenses and diet money out of the Government funds.

6. *Prosecution in Cases under the Act*:—Cases under the Act shall be conducted by the prosecuting Sub-inspector or Inspector attached to the Court:

Provided that in any case which the Court considers to be of specially complicated nature, it may, with the permission of the District Magistrate, appoint a local Lawyer to conduct the case.

### FORM

( See rules 3 (2) )

#### Order of Injunction under section 5 of the Rajasthan Prevention of Mrityu Bhoj Act, 1960

To

(Name, description and address),

WHEREAS—upon the information received by me, I am satisfied that a Mrityu Bhoj in contravention of the provisions of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 has been arranged or is about to be held or given by you at..... ..

I DO HEREBY prohibit you from holding or giving of, such Mrityu Bhoj.

GIVEN—under my hand and seal of the court this .....  
day of.... .. 19 .  
Seal

*Signature*

By Order of the Governor,  
RANDHIR SINGH,

Dy. Secretary to the Government.

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*Rules and Notifications under*  
PRISONERS ACT, 1900.  
( CENTRAL ACT No. 4 OF 1900 ).

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## NOTIFICATIONS UNDER PRISONERS ACT, 1900.

*Published in Raj. Raj-patra Vol 3 No.70 Dated July 21, 1951 part I at page 405 :*

HOME DEPARTMENT (JAILS).

NOTIFICATION.

Jaipur, July 11, 1951.

*No. F. 1 (11) Jails/51.*—In exercise of the powers conferred by sub-section (1) of section 32 of the Prisoners Act, 1900, of the Central Legislature as adapted to Rajasthan, the Government of Rajasthan are pleased to appoint the following Jails as places to which persons under sentence of transportation shall be sent:—

Central Jails at Jaipur, Jodhpur and Bikaner.

By Order of

His Highness the Rajpramukh,  
**BHAJAN LAL CHATURVEDI,**  
*Secretary to Government,  
Home Department.*

*Published in Raj. Raj-patra Vol. 4 part I at page 252 :*

HOME DEPARTMENT (Police B)

NOTIFICATION.

Jaipur, June 7, 1952.

*No. D-1477/P. B/52.*—In pursuance of section 52 of the Prisoners Act, 1900, the Government of Rajasthan are pleased to notify that the Deputy Superintendents, Jailors and Deputy Jailors who are in charge of class (B), (C) and (D) Jails, respectively, in the districts of Rajasthan will, for all purposes of the said Act be deemed to be officers in charge of the respective prisons.

**BHAJAN LAL CHATURVEDI,**  
*Secretary to the Government.*

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*Rules and Notifications under*

PRISONERS (ATTENDANCE IN COURTS) ACT, 1955.  
( CENTRAL ACT No. 32 OF 1955 )

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# RAJASTHAN PRISONERS ( Attendance in Courts ) RULES, 1956

*Jaipur, May 10, 1957.*

No. F. 18 (12) H. II/53.—In exercise of the powers conferred by section 9 of the Prisoners (Attendance in Courts) Act; 1955 (Act No. 32 of 1955), the Government of Rajasthan makes the following rules, namely :—

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Prisoners (Attendance in Courts) Rules, 1956.

(2) They shall come into force on the date for their publication in the Rajasthan Gazette.

## Notes

These rules have been framed in exercise of the powers conferred on State Government by section 9 of the Prisoners (Attendance in Courts) Act, 1955 (Central Act No. XXXII of 1955). The enabling section reads as under:—

(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the procedure for obtaining the countersignature of an order made under section 3;

(b) the authority by whom and the manner in which a declaration that a person confined in prison is unfit to be removed therefrom, may be made;

(c) the conditions, including payment of costs and charges, subject to which an order made under section 3 by a civil court may be executed;

(d) the manner in which a process directed against any person confined in a prison issued from any court may be served upon him;

(e) the escort of persons confined in a prison to and from courts in which their attendance is required and for their custody during the period of such attendance;

(f) the amount to be allowed for the costs and charges of such escort; and

(g) the guidance of officers in all other matters connected with the enforcement of this Act.

2. *Repeal.*—All rules relating to the subject herein covered in force in Rajasthan are hereby repealed.

3. *Definitions.*—In these rules, if the context does not require otherwise—

(a) “the Act” means the Prisoners (Attendance in Courts) Act, 1955;

(b) “Superintendent” means the officer in charge of a Jail;

(c) “section” means a section of the Act.

4. *Procedure for countersignature.*—(1) The presiding Officer of any Civil Court making an order under section 3 shall send the form provided in this behalf in the First Schedule to the

*These rules have been first published in Rajasthan Raj-patra dated July 4, 1957, in Part IV (c) at page 235.*

Act, duly filled in and forward it to the District Judge to whom he is immediately subordinate for counter signature and shall send along with it a report of the facts which in his opinion render the order necessary and the District Judge may after considering such report countersign the order or decline to do so.

(2) Any Criminal Court which is inferior to the Court of a Magistrate of the First Class making an order under section 3 shall send the form provided in this behalf in the Second Schedule to the Act duly filled in to the District Magistrate to whom such court is subordinate or within the local limits of whose jurisdiction that court is situated for countersignature and shall send along with it a statement of facts which in his opinion render the order necessary and such District Magistrate may after considering such statement countersign the order or decline to do so.

#### Notes

Section 3 of the Act empowers Civil and Criminal Courts to require appearance of prisoners to give evidence or answer a charge. The order made for appearance of prisoners requires counter signature under sub-section (iii) of section 3 which provides that,—No order made under this section by a civil court which is subordinate to a district judge shall have effect unless it is countersigned by the district judge; and no order made under this section by a criminal court which is inferior to the court of a magistrate of the first class shall have effect unless it is countersigned by the district magistrate to whom that court is subordinate or within the local limits of whose jurisdiction that court is situate.

The rule prescribes the procedure of such counter signature.

5. *Condition and costs of an order under section 3 by the Civil Court.*—(1) Any person who desires that the evidence of a prisoner be recorded shall make an application in writing to the Presiding Officer of the Civil Court and no order in any civil matter shall be made by a Court until the amount of costs and charges of the execution of such order, which shall be determined by the Court is deposited in such Court:

Provided that, if upon any application for such order it appears to the Court to which application is made, that the applicant has not sufficient means to meet the said costs and charges, the Court may pay the same out of any fund applicable to the contingent expenses of such Court, and every sum so expended may be recovered by the State from any person ordered by the Court to pay the same, as if it were costs in a suit recoverable under the Code of Civil Procedure.

(2) The application made under the preceding rule shall contain the following particulars :—

- (a) The name and parentage of the prisoner,
- (b) The Jail where he is for the time being confined, and
- (c) Relevance of his testimony.

#### Notes

Clause (c) of sub-section (ii) of section 9 of the Act requires the State Government to make rule providing for the conditions, including payment of costs and charges, subject to which an order made under section 3 by a Civil Court may be executed. Rule fulfills the requirements of this provision of law.

6. *Declaration of unfitness.*—(1) When an order under section 3 is received by the Superintendent, he shall apply to the District or Sub-Divisional Magistrate within the local limits of whose jurisdiction the prison is situated, and such Magistrate after considering the report of the Superintendent may, by writing under his hand, declare that the person named in the order is unfit to be removed.

(2) Such declaration shall not be called into question in any Court.

(3) The Superintendent while making an application under Sub-rule (1) shall forward along with this application the report containing—

- (i) the name and age of the prisoner;
- (ii) the cause of his sickness or infirmity;
- (iii) the report of the medical officer in charge of the prison.

#### Notes

Section 6 of the Act authorises an Officer-In-Charge of prison to abstain from carrying out order under section 3 if the concerned prisoner is, in accordance with the rules made in this behalf, declared to be unfit for removal from prison. The rule prescribes the procedure for such declaration.

7. *Service of process on prisoners.*—When any process directed to any prisoner confined in any prison is issued from any criminal or civil court it may be served by exhibiting to the officer in charge of the prison in original the process and by depositing with him a copy thereof.

8. *Process served to be transmitted at prisoner's request.*—(1) Every officer in charge of a prison upon whom service is made under the preceding rule shall, as soon as may be, cause the copy of the process deposited with him to be shown and explained to the person to whom it is directed, and shall thereupon endorse upon the process and sign a certificate to the effect that such person as aforesaid is confined in the prison under his charge and has been shown a copy of the process and that it had been explained to him.

(2) Such certificate as aforesaid shall be *prima facie* evidence of the service of the process, and if the person to whom the process is directed requests that the copy shown and explained to him be sent to any other person and provides the cost of sending it by post, the Superintendent shall cause it to be so sent.

#### Notes

The rules 7 and 8 prescribe the requirement of clause (d) of section 9 (ii) of the Act.

9. *Police to provide escort.*—The escort of prisoners under the Act, shall be undertaken by the Police.

10. *Procedure to obtain escort.*—Whenever an order for the production of a prisoner to give evidence or to answer a charge is received from a competent court by the Superintendent Jail, such officer shall send a copy of the Court's order to the head of the local

police, who thereupon shall cause the necessary police guard to be detailed in accordance with the terms of the order, and the prisoner shall be made over to the custody of this guard.

11. *When Court and Jail are in one station.*—Whenever the Court and Jail are in the same station, the prisoners shall be taken from the Jail to the Court and back daily, until his attendance is dispensed with. On every day he attends the Court, he shall receive the full Jail ration, and shall be allowed to take his mid-day meal with him for consumption at any convenient hour.

12. *Where Court and Jail are in different stations.*—Whenever a prisoner is sent for examination to or has to halt at night en route at a station where there is a Central or District Jail, he shall be confined therein. When there is no Central or District Jail, he shall be confined in the judicial lock-up, and when there is no judicial lock-up, he shall be confined in the police lock-up.

13. *Custody at night.*—If the escort is unable to reach a central jail, district jail, or judicial or police lock-up before sun-set, the police shall make the necessary arrangements for the safe custody of the prisoner.

14. *Custody when confined in another Jail.*—If the prisoner is taken to a jail, central or district or a lock-up judicial or police, the jail or police establishment, as the case may be, guarding it shall be responsible for the custody of the prisoner. Whenever the escort desires to proceed, the prisoners shall be handed over for that purpose:

Provided that no prisoner escorted under these rules shall be admitted into a jail after sun-set, nor handed over to the escort before sun-rise.

15. *Custody when confined in lock-up.*—(1) If the prisoner is taken to a police lock-up, in which there are no other prisoners, the police in charge of the lock-up shall permit the prisoner escorted under these rules to occupy a ward in the lock up, the key of which shall be handed over to the escort and the prisoner shall be entirely under the charge of the escort as regards safe custody, supply of food, etc. On the departure of the escort with the prisoner, the key of the ward occupied shall be returned to the police in charge of the lock-up.

(2) In the event of a police lock-up being occupied by other prisoners, the prisoners shall be confined with them; the police in charge of the lock-up being then responsible for his safe custody. The duty of supplying the prisoner with food and of watching him cook and eat shall rest with the police escorting him.

(3) Police escort shall conform to the rules in force at lock-ups as regards hours for cooking and meals, e.g., when the custody of the prisoners devolves upon the police in charge of the lock-up, the escort shall not demand that he be let out at unauthorised hours to cook his food, etc.

16. *Method of travelling.*—A prisoner shall ordinarily be moved about either by road vehicle, by rail or by water, but when neither of these modes of transport is available he shall go on foot, unless he is certified by the Medical Officer to be physically unfit to march, in which case the officer in charge of the jail shall supply either a dooly or a cart according to circumstances. No prisoner shall be compelled to march on foot more than fifteen miles in twenty-four hours. When travelling by rail the accommodation to be provided shall be of the lowest class for "C" class prisoners, and second class, in the case of "A" and "B" class prisoners. Prisoners whose confessions are to be recorded shall be taken to the court from the jail in a police van or lorry, when available, escorted by warders as an exceptional case.

*Note.*—(1) Prisoners escorted by the police between two places which are over two miles apart and are wholly or partially connected by motor bus service may be conveyed by motor bus.

Provided that the number of prisoners so escorted at a time is small and can be controlled easily, and provided that their presence in the motor bus does not cause inconvenience or annoyance to members of the public using it. Actual conveyance charges in the case of such prisoners may be paid.

(2) Woman prisoners escorted by the police shall be provided with conveyance when the distance to be traversed by them exceeds one mile. Conveyance may also be provided for shorter distances in cases in which, for reasons of health or custom or other valid reason, failure to make such provision would cause undue hardship to them.

17. *Use of hand-cuffs.*—A convicted prisoner shall not be handcuffed, unless there is a reasonable expectation, either from the heinous nature of the crime with which he is charged or from his character or behaviour, that such person will use violence or will attempt to escape or that an attempt will be made to rescue him. The same principle shall be followed in the case of under-trial prisoners.

18. *Strength of police guard.*—(1) The minimum strength of the police guard shall be—

For not more than four prisoners, two constables,

For five or six prisoners, three constables; and

For seven to ten prisoners, one Head Constable and four constables.

A female warder shall, wherever possible, accompany a female prisoner instead of one of the constables.

(2) When prisoners are of desperate character or are likely to attempt to escape or when the number to be escorted exceeds ten, the strength of the guard shall be increased at the discretion of the officer-in charge of the police.

## Notes

The rules 9 to 18 prescribe the procedure as required under clauses (e) and (f) of section 9 (ii) of the Act.

19. *Cost of prisoner's journey.*—(1) The cost of conveyance (if any) and of maintaining prisoners while absent from the jail shall be advanced by the Superintendent to the officer-in-charge on the escort:

Provided that whenever possible, the escort shall be given articles of diet sufficient for the prisoner's rations during his absence, instead of money. If a prisoner is admitted into any jail, he shall be supplied with rations by that jail during the period that he stands there.

(2) The cost of conveyance of prisoners to and from the Court shall be recovered by the Superintendent from the Court before which the prisoner's attendance is required. No recovery need, however, be made from a criminal Court before which a prisoner is produced in cases where such cost is less than Rs. 2/-. Conveyance and other incidental charges of under-trial prisoners sent from Rajasthan to territories outside and *vice versa* should be borne by the Government of the territories asking for such prisoners.

(3) The scale of charges for the conveyance of prisoners required to be produced to give evidence in civil or criminal courts shall be as follows :—

(a) All prisoners, civil or criminal, the lowest fare admissible for journeys by rail, or boat and actual expenses by road.

(b) A subsistence allowance of annas 12 per diet in the case of 'A' and 'B' class prisoners and of annas 6 per diet in the case of 'C' class prisoners.

(4) The dietary and conveyance charges of the prisoners who are sent from a criminal court to a jail will be borne by the criminal court concerned.

20. *Documents to accompany prisoner.*—When a prisoner is sent from one Jail to another under these rules, his or her original warrant or warrants of commitment and a Nominal Roll as per form given below shall be sent with him.

21. *Prisoners transferred from outside Rajasthan.*—Prisoners transferred from territories outside Rajasthan for purposes of answering charges pending against them or giving evidence shall be treated as under-trials.



# NOMINAL AND DESCRIPTIVE ROLL OF PRISONERS TRANSFERRED.

Register ]

Raj. Prisoners (Attendance in Courts) Rules, 1956

[ 7

From.....Jail.....To .....

1	2	3	4	5	6	7	8	9	10	11	12	13
S. No.	Convict's Number and Class of Prisoner A.B or C and casual or habitual.	Name with parentage and caste of prisoner.	Present age.	Occupation.	Personal descriptive marks	Village.	Police Station Post office.	District and State.	Section and Code under which imprisoned and name of challenging Police Station with F.I.R. number.	Date of sentence.	Sentence or order with date and whether wanted in any other Court or State and if so, which.	2/3 Sentence.

Jail..... State ..... On.....

Actual sentence served.	Conduct in Jail and reasons of transfer.	Present state of health and fitness to undertake journey (M. O. to certify).	Result of appeal (if any).	Details of private clothing valuable etc.	Probable date of release.	Remission		Special.	Total sentence served including remission.	Sentence to be served excluding fine sentence.	Maximum remission for remaining sentence.	Remarks.
						Due.	Jail Remission.					
14	15	16	17	18	19	20	21	22	23	24	25	26

By Order of the Governor,  
SAMPAT MAL BHANDARI,  
Secretary to the Government.

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*Rules and Notifications under*

PRISONS ACT, 1894.  
( CENTRAL ACT No. 9 OF 1894 ).

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# Rules for Appointment and Guidance of Official Visitors of Prisons.

## Jails Department.

Section 59 of the Prisons Act, 1894 authorises the State Government to make rules, consistent with the Act, for the appointment and guidance of visitors of prisons. These rules have been framed in exercise of powers so conferred.

The following rules for the appointment and guidance of official visitors of prisons within the United State of Rajasthan shall come into force with immediate effect:—

1. *Ex-officio visitors.*—(a) Inspector-General of Hospitals, Inspector-General of Police, Director of Public Health, Deputy Inspector-General of Police (C.I.D.), Director of Industries shall be ex-officio visitors for all Jails and lock-ups in the United State of Rajasthan.

(b) Commissioners of Divisions and Sessions Judges are ex-officio visitors of the Jails and lock-ups, situated within their respective jurisdiction. Civil and Sessions Judges are ex-officio visitors of Jails in District where there is no Session Judge. The District Magistrate is an ex-officio visitor of the Central Jail situated within his jurisdiction. Deputy Inspector-General of Police, Sub-Divisional Magistrates, and Inspectors of Schools shall be ex-officio visitors of all Jails within their respective jurisdiction.

(c) The Senior Medical Officer in the District where he is not holding Medical Charge, shall be an ex-officio visitor of the Jails and lock-ups in his District except in the case of Central Jails where a suitable officer will be nominated by the Commissioner of the Division.

2. *Visits by official visitors.*—The following minimum number of visits shall be paid by official visitors in the year:

### *Central Jails:*

- (1) By Commissioners and Judges three visits;
- (2) By District Magistrates one visit every month,

### *District Jails and Lock-ups:*

- (1) *Jails and lock-ups at the headquarter of the Commissioner and the Judges.*—Three visits shall be paid by each officer to each Jail and lock-up.
- (2) *At the other places.*—The Jails and lock-ups shall be visited by the Commissioner and Judges when these officers visit the stations in which they are situated.

*Note.*—The District Magistrate will visit the Central and District Jails at least once a month. At each visit he shall make a careful inspection of the undertrial prisoners and prepare a list of all undertrial prisoners who have been in the lock-up

for unduly long period. Thereafter he shall issue such orders as may appear necessary for the expeditious disposal of their cases. Every alternate month he shall go round the whole Jail. Dates of these visits shall be recorded in the visitor's book together with any order, remarks, or suggestions made: provided that if in any special case the District Magistrate considers it expedient he may communicate separately with the Superintendent on any matter arising out of his visit. In any month during which the District Magistrate is away from headquarters he shall depute the Magistrate incharge to visit the Jail in his stead.

3. *Board's meeting and additional visit by visitor.*—A meeting of the Board of Visitors shall be held once a quarter. At the first meeting in the calendar year a roster of visits shall be prepared for the ensuing twelve months. This roster will permit of a monthly visit being made to each Jail by visitors. Should any visitor desire to pay more than one such visit, he shall be required to obtain the special permission of the Superintendent. All visits shall be made between the hours of opening and 2.00 P.M. Visits will not be permitted on Sundays and on other holidays except between 8.00 and 10.00 A.M.

*Note.*—Except in exceptional circumstances, a visitor shall not inspect Jails after lock-up or on Sundays or other Holidays.

4 *Visitors to be accompanied by Jail Officer and an escort.*—The Superintendent shall arrange that every visitor to the Jail shall be accompanied by a responsible Jail officer and by an escort which shall consist, at Central Prisons, of two Warders, and at District Jail, of one Warder armed with batons.

5. *Names of visitors to be displayed.*—The Superintendent shall have a board hung up at the Jail gate on which the names of all Jail visitors shall be noted and no persons other than those authorised to visit a Jail or lock-up shall be allowed to visit.

6. *Duties of visitors.*—(a) It is the duty of a visitor to satisfy himself that the law and rules regulating the management of prison and prisoners are duly carried out in the Jail, to visit all parts of the Jail and to see all prisoners, and to hear and enquire into any complaints that any prisoner may make to him. He may for this purpose talk to any prisoner out of the hearing but in the full sight of the officer accompanying him. Such conversations with prisoners shall not exceed 20 minutes in all during a visit. A list of questions indicating some of the points to which a visitor may direct his enquiries is appended in last paragraph.

(b) A visitor may call for all books, papers and records other than those of a confidential nature, which are connected with the administration of any department of the prison.

(c) No visitor may issue any order or instruction to any subordinate Jail officer.

## Rules for Appointment and Guidance of Official Visitors of Prisons. [ 3

(d) The officer accompanying every visitor shall inform him before entering the cook-house that no portion of the prisoner's ration shall be touched, but he can taste the food if he so desires.

7. *Inspection note by visitors.*—(a) There shall be only one visitor's book for the use of visitors. The book shall, on no account, be removed from the Jail premises.

(b) Every visitor shall, after he has completed his visit to the Jail, record in the visitor's book prescribed by section 12 of the Prisons Act, the date and hour of his visit, and may enter therein any remarks or suggestions he may wish to make with regard to the internal arrangements of the Jail or the state of discipline maintained therein. But when a visitor considers that the sanctioned system of the Jail Administration requires modification in any particular or has any suggestion to make on questions of policy, he shall refer his opinion separately to the Inspector-General and shall not discuss the subject in the visitor's book. Entries in the visitor's book shall be made in the visitor's own handwriting.

(c) The remarks recorded by the visitor in the visitor's book shall be treated as confidential and shall not be communicated to the prisoners or to any one outside the Jail. A visitor, so long as he retains his official connections with the Jail, is precluded from giving publicity in the press or otherwise to matters connected with its administration.

(d) Should there be any complaint which a prisoner may make to a visitor about his own treatment or that of any other prisoner or about the conduct of any officer, or should the visitor himself observe any matter of which he feels notice ought to be taken, he should refer it to the Superintendent who is responsible for everything that occurs in his Jail. It is open to the visitor if he so desires, to make a representation on the matter to the Government.

(e) The remarks recorded by a visitor in the visitor's book should include any complaint made to him by a prisoner which in his opinion deserves notice. When the Superintendent is of opinion that a prisoner has made a groundless complaint to a visitor and should be punished, he shall record a brief statement of the facts and note what punishment he proposed to award and send it to the visitors who, if he dissents from the conclusion of the Superintendent, may request that the case be submitted to the Inspector-General for orders. A Copy of the Inspector-General's order will be communicated to the visitor who may then, if he thinks fit, address Government regarding the case.

8. *Action on remarks of visitors.*—(a) The Superintendent shall at once forward a copy of the inspection notes recorded by visitors in the visitor's book, through the District Magistrate and the Commissioner of the Division to the Inspector-General who may, if in his opinion it is necessary, forward the correspondence for the

#### 4 1. Rules for Appointment and Guidance of Official Visitors of Prisons.

information and orders of the Government. A copy of the orders (if any) of Government or the Inspector-General shall be forwarded to the visitor through the Superintendent of the Jail.

(b) The Superintendent of Jail shall cause these orders to be copied into the visitor's book for information of the visitors.

9. *Permission to enter Jail for recording statement of prisoners.*—The Superintendent shall permit judicial and magisterial authorities and also any persons provided with a written order from the High Court, the Chief Court, District Magistrate, or Sessions Judge to enter the Jail for the purpose of recording the statement of any prisoner.

The District Magistrate may specially authorise any officer named by him in writing to interview any prisoner for the purpose of obtaining information which may lead to detection of crime.

10. *Visits by authorised persons.*—(a) A person other than a official person may visit a Jail if he has obtained the written permission of the Government of the United State of Rajasthan or is accompanied by or has obtained the written permission of the Inspector General, the Commissioner of the Division, the District Magistrate or the Superintendent. Visits by such persons may be made on any day between the hours of 7 and 11 A.M. This restriction, however, is not intended to prohibit the Superintendent from admitting persons whom he may wish to show round the Jail at any other time.

(b) *Officers of P.W.D. may enter Jail and during business hours.*—The Superintending Engineer of his circle and the Executive Engineers of the District in which the Jail is situated, together with their employees, shall, during business hours, have free access to the Jail to the extent necessary for purposes connected with the discharge of their official duties.

(c) *Admission of police officer to the Jail and interrogation of prisoners by them.*—Any police officer of not lower rank than a Deputy Superintendent shall, for any purpose connected with the discharge of his duties as such police officer, be permitted to enter the Jail at any time.

(d) Police officers of a lower rank than Deputy Superintendent who are in uniform and have been detailed for the duty shall be permitted to enter the Jail for the purpose of recognising old offenders, or for conducting operations for the identification of prisoners during work hours on any week day.

(e) No police officer shall be permitted to interview any prisoner except in so far as may be necessary for the identification of such prisoners without any order in writing from the District Magistrate of the District Superintendent of police, addressed to the Superintendent of Jail.

(f) Any interview permitted under an order from the District Magistrate or the District Superintendent of Police shall take place

in the presence of the Jailor or other proper officer of a Jail, who shall if required to do so keep at such a distance that he may not hear the conversation that takes place.

(g) The Superintendent of Jail shall, for the purpose of this rule, produce any prisoner in his charge whom the police are authorised to interview and shall afford every reasonable facility for this purpose.

(h) The Superintendent shall arrange that every visitor to the Jail shall be attended by two warders armed with batons.

(i) A person other than an official visitor shall not, in the absence of special orders to the contrary, be permitted to put any question to prisoners or to make any enquiry either from officials or from prisoners concerning the discipline and management of the Jail.

11. *Question on some of the main points to be noted by visitors at their visits to Jail:—*

- (1) *Buildings.*—Are the building secure and in good repair ?
- (2) *Overcrowding.*—Is there any overcrowding ? If so, where are the excess prisoners accommodated, and are steps being taken to relieve it ?
- (3) *Drainage.*—Is the drainage of Jail in a satisfactory state ? If not, what are the defects ?
- (4) *Water supply.*—Is the water-supply sufficient and good and the means of carriage suitable ?
- (5) Have the drinking water wells been cleaned out recently ?
- (6) *Food.*—Are the articles of food in the Store-room and elsewhere properly kept and in good condition ?
- (7) Does the weight of vegetables agree with the calculated weight in the diet-roll and are they of good quality and properly cleaned ?
- (8) Is the food issued correct in quantity and are they of good quality and properly cleaned ?
- (9) Is the full number of rations for all the prisoners forthcoming ?
- (10) Is the oil and condiments added to the curry in the presence of some responsible officer ?
- (11) *Clothing.*—Have the prisoners the prescribed amount of clothing and bedding in their possession ? Is it in serviceable order ? Is bedding placed in the sun every morning when the weather permits, and is the prescribed extra blankets issued in the cold months ?
- (12) *Bathing.*—Are the prisoners required to bathe regularly ?
- (13) *Labour.*—Are full tasks exacted from all labouring prisoners fit for hard labour ? Who checks the work done in the evening ? Is the out-turn of each convict properly recorded on the work-tickets ?
- (14) *Remission.*—Is ordinary remission for industry given with reference to the actual tasks performed ?

- (15) Are there any convicts who are not receiving remission for industry for failure to perform tasks? If so, have efforts been made to enforce work by means of punishment?
- (16) *Punishment*.—Is the ratio of punishment in the Jail unduly high?
- (17) *Discipline*.—Are convicts regularly searched for contraband?
- (18) Are convicts prevented from wandering about?
- (19) Are gangs of convicts marched about in proper order?
- (20) *Habituals*.—Are habituals separated from others at night and is there separation from others by day carried out as far as possible?
- (21) *Undertrial prisoners*.—Are there any undertrial prisoners who have been detained in the Jail unduly long?
- (22) *Lunatics*.—Are there any civil lunatics in the Jail who have been detained under observation longer than the period allowed by law and, if so on whose warrants?
- (23) Are there any criminal lunatics who have been unduly detained in Jail?
- (24) *Females*.—Are the women prisoners thoroughly screened from view of male prisoners?
- (25) *Juveniles*.—Are juvenile prisoners under the age of 18 separated from both by day and night, from adults and are those juveniles who have arrived at the age of puberty separated from those who have not, as required by section 27 (2) of the Prisons Act? Do juvenile prisoners receive instruction?
- (26) *Adolescents*.—Are all adolescent prisoners, of ages ranging from 18 to 20 or 22, separated at night both from juveniles and adults?
- (27) *Cells*.—Is every cell utilized at night?
- (28) *Appeals*.—Has there been any undue delay in forwarding appeals to Court, or in the receipt of Court's orders on appeals?
- (29) *Garden*.—Is the whole vegetable supply of the Jail obtained, from the Jail garden? If not, why cannot this be done?

By Order  
K. C. SHUKLA,  
Additional Secretary,  
Jails Department,  
United State of Rajasthan.



# Rules regarding Advisory Boards constituted for the Purpose of revising the sentences of Convicts Confined in jails of Rajasthan

Jails Department.  
NOTIFICATION.

Jaipur, March 25, 1950..

No. D.-169/Jails/50.—the Rules regarding Advisory Boards constituted for the purpose of revising the sentences of convicts confined in the Jails in Rajasthan are published for general information.

K. P. U. MENON,  
Additional Secretary  
to the Government of Rajasthan.

Notes.

Sub-section 5 of the Prisons Act, 1894 authorises the State Government to make rules, consistent with the Act, for the awards of marks and the Shortening of sentences. These rules have been framed in exercise of the Powers so conferred.

## MEMORANDUM.

*Subject* :--Formation of Advisory Boards to advise Government in revising sentences of convicts.

The Law Department has submitted draft rules for the formation of Boards for the purpose of revising the sentences of convicts confined in the Jails in Rajasthan. There shall be a Advisory Board for each of the central prisons and district jails consisting of—

(a) Commissioner of the Division concerned *Chairman.*

(2) Sessions Judge within whose jurisdiction the central prison or district jail is situated. .... *Members.*

(3) A non-official gentleman to be nominated by Government .... "

The Superintendent of the central prison or the district Jail where the Board meets will be the Secretary.

2. The Board will meet twice a year in January and July.

3. Cases of casual as well as habitual convicts will be eligible for consideration by the Advisory Boards having due regard to the term already served out and the mental and physical condition of the convicts. Generally, the case of no convict will be considered by the Boards till he has served at least half the term of his sentence.

4. Internees and other prisoners detained without trial as well as convicts released conditionally under section 401 Cr. P. C. will not be eligible for consideration by these Boards.

5. The role of the Boards will be purely advisory and any recommendation for release made by a Advisory Board will be forwarded by the Secretary to the Board direct to the Government.

6. Convicts sentenced by Court Martial shall also be eligible to these concessions.

K. C. SHUKLA,  
*Additional Secretary to the Government,  
Jail Department.*

### ADVISORY BOARDS.

*Advisory Boards.*—The Government of Rajasthan is pleased to make the following rules regarding Advisory Boards constituted for the purpose of revising the sentences of convicts confined in the Rajasthan:—

1. (a) There shall be a advisory Board for each central Prison consisting of the following :—

The Commissioner of Division	....	<i>Chairman.</i>
The Sessions Judge within whose jurisdiction the central prison is situated	....	<i>Member.</i>
A non-official gentleman to be nominated by the Government	....	<i>Member.</i>

(b) There shall be five Advisory Boards for District Jails at the headquarters of the following divisions :—

- (i) Jaipur—for revising the sentences of convicts in the district jails situated in the Jaipur Division.
- (ii) Jodhpur—for revising the sentences of convicts in the district jails situated in the Jodhpur Division.
- (iii) Bikaner—for revising the sentences of convicts district jails situated in the Bikaner Division.
- (iv) Udaipur—for revising the sentences of convicts in the district Jails situated in the Udaipur Division.
- (v) Kotah—for revising the sentences of convicts in the district jails of the Kotah Division.

The Constitution of these Boards shall be as follows:—

The Commissioner of the Division within which the Board meets	... ..	<i>Chairman.</i>
The Sessions Judge of the district within which the Board meets	... ..	<i>Member.</i>
A non-official gentleman to be nominated by the Government	... ..	<i>Member</i>

(c) The Superintendent of the Central Prison or the district jail, as the case may be, where the meeting is held shall act as secretary of the Advisory Board. The meetings of the Advisory Boards for central prisons shall be held at the Central Prison concerned, while the meetings of the Advisory Boards for district jails shall be held at the district jail, or where there is no district jail, at the central jail, situated at the divisional headquarters where the meeting is held.

(d) The revision sheets of prisoners confined in district jails shall be sent by the Superintendents in the third week of December, and June every year to the Superintendent of the Jail where the meeting of the advisory board will be held.

2. *Dates of Meetings.*—Meetings of the Advisory Board shall be convened by the Chairman in the months of January and July every year.

3. *Cases to be considered by Boards.*—The advisory Board shall consider the cases of—

#### CASUALS.

- (i) All casual convicts with sentences of not less than three years and not more than four years when they have served two years of their sentences; and
- (ii) all casual convicts with sentences of over four years when they have served half of their sentences.

#### HABITUALS.

The cases of habitual convicts shall be eligible for the consideration of the board when—

- (i) the convicts have served two-thirds of their sentences and have completed at least two and half years of imprisonment ; and
- (ii) the Superintendent having regard to the work and conduct of the convicts and their mental and physical condition considers them to be suitable for premature release.

4. *Calculation of Revising Board Dates.*—(a) No remissions shall be taken into considerations in the calculations under the preceding paragraph.

(b) Sentences in default of the payment of fine when the fine has not been paid, shall be included when calculating advisory board dates.

(c) The period of imprisonment served by a convict in a jail other than that of Rajasthan does not count as part of imprisonment served and shall be excluded in calculating the period of sentence undergone.

5. *Life sentences.*—(a) Life sentences shall be reckoned as twenty years in the case of class 3 and twenty-five years in the case of class 1 and 2 prisoners.

#### NOTE —

- (a) "Class 1 convict" means a thug, a robber committing robberies by administration of poisonous drugs or a professional, hereditary or specially dangerous criminal convicted of a heinous organized crime, such as dacoity;
- (b) "Class 2 convict" means a dacoit or other convicted of a heinous organised crime, being a professional, hereditary or specially dangerous criminal ;

(c) "Class 3 convict" means a convict other than a class 1 or class 2 convict.

(b) For the purpose of calculating the date on which the case of a convict with two or more life sentences would be considered by the advisory board, such sentences shall be treated as concurrent and his case shall be due for consideration by the board when he has served half of the sentence if he is a casual or two-thirds if he is habitual convict.

6. *Convicts under going several sentences.*—In case of several sentences of imprisonment for definite terms, if the sentences are concurrent, they shall be treated as one sentence for the period of the longest of such sentences. But if the sentences are consecutive, the total of all such sentences shall be taken into consideration for fixing the date for the Advisory Board, subject to the condition that if the total period which a term Convict has to serve in respect of two or more consecutive sentences, exceeds twenty years, the case of a casual convict shall be referred to the Advisory Board after he has served ten years and that of a habitual convict after he has served 13 years and four months.

7. *Concession not to apply to certain classes of prisoners.*—The following classes of prisoners shall not be allowed the benefit of these concessions:—

- (1) Internees and other prisoners detained without trial; and
- (2) Convicts who have been released conditionally under section 401 of the Code of Criminal Procedure, 1898.

8. *Date of revision.*—The date on which the case of a convict becomes due for consideration by the advisory board is hereinafter called the date of revision. The cases of convicts whose dates of revision fall between the 1st of August and 31st of January of the succeeding year shall come up for consideration by the Advisory Board during the winter months, while the cases of convicts whose dates of revision lie between the 1st February and the 31st of July of any year shall come up for consideration by the Advisory Boards during the summer months.

9. *Register of dates of revision.*—The Jailors shall maintain a Advisory Board Register in which he shall enter the dates of revision of all convicts at the time of their admission. A sufficient number of pages shall be set apart for each half-year and the name and number of each convict with the date of revision shall be entered in its appropriate half year.

10.—*Postponed cases.*—When a case has been postponed for reconsideration a fresh date for consideration shall be fixed. On the date on which the case is due for reconsideration the Superintendent shall endorse fresh remarks as to conduct etc., on slips to be pasted on the margin of the revision sheet, but a fresh report need not be called for from the district Magistrate.

11. *Particulars to be entered on revision sheets.*—It shall be the duty of office jailors in central prisons and of jailors in district jails to see that revision sheets of convicts are forwarded in the prescribed forms in duplicate for completion to the district Magistrate six months prior to the date of revision, with correct and legibly written particulars as to caste, parentage and the place of abode of the convict, stating clearly the names of the village, the thana and the district.

The revision sheets of convicts sentenced by Military courts shall be forwarded direct to the Chief of the Staff, Army Headquarters, who will furnish information regarding the convict's conduct and character in the army together with a brief statement of his Offence.

The Superintendent shall record his opinion on the revision sheet as to the convict's fitness for release and his physical and mental condition, before his case is forwarded to the district Magistrate or the Chief of the Staff, Army Headquarters, as the case maybe:—

NOTE:—1. In a case of a convict sentenced in more cases than one, full particulars of each case, such as the name of the sentencing officers, case number, crime section, sentence and date of sentence shall be entered on the revision sheet.

2. Convicts whose cases are about to be put up before the Advisory board for consideration shall not be transferred to other jails unless their transfers are absolutely necessary, or, in the case of convicts confined in district jails other than district jails at the divisional headquarters where their cases are due to be considered, their transfer to the district Jail such divisional headquarters is required by the chairman of the advisory board. When a convict has been so transferred the superintendent of the receiving jail shall see that the revision sheet of the convict is put up before the board with a note indicating that the convict has been so transferred.

12. *Opinion of District Magistrate and Particulars about fine etc.*—The Magistrate of the district in which the convict was sentenced or in which his home is situated shall record his opinion supported, particularly in the case of professional, dacoits, by detailed reasons, on the revision sheet as to the advisability of releasing the convict in advance of the expiry of his sentence and also a brief account of the crime for which he was convicted, containing details, as full and accurate as possible, of the convicts history, his conduct and association previous to conviction and other similar matters with special reference to the possibility of his home environments leading to a relapse into crime.

In the case of prisoners sentenced to rigorous Imprisonment or transportation for a period of five years or more the District Magis-

trate should, before, giving his opinion, consider the brief history of the Convict, prepared at the time of conviction and entered in paragraph 3 of the prescribed form of classification (*vide* Appendix A).

If a convict has been sentenced to a fine, the revision sheet shall show whether the fine has been paid or not. If the fine has not been realised the District Magistrate shall state whether there is any possibility of the fine being realised.

13. *Recommendations of the Advisory Board.*—The Board may in each case after considering the material before it and the effect on the convict of the period of imprisonment already undergone, either direct that the case be postponed for a definite period to be specified, or make one of the following recommendation:

- (1) that the convict be released conditionally or unconditionally, and
- (2) that the premature release be refused.

14. *Scrutiny of cases of professional dacoits.*—Advisory Boards should scrutinize cases of professional dacoits, *i.e.* dacoits with more than one conviction with special care and should not recommend the premature release of such prisoners unless they are satisfied that there is no likelihood of the prisoners resuming their previous criminal activities.

15. *Transmission of revision sheets to Government.*—(a) The revision sheets of all convicts recommended for release by a Advisory Board shall be forwarded by the secretary to the Board direct to the Government. The revision sheets in other cases shall be attached to the conviction warrants of the convicts concerned and in the case of convicts confined in other jails shall be forwarded to those jails to be so attached to their conviction warrants.

(b) When the revision sheet of a Military convict sentenced by a Court-martial is submitted to the Government the fact that the sentence was passed by a Court-martial shall be prominently brought to the notice of the Government (*vide* section 112 of the Indian Army Act of 1911) (VIII of 1911).

16. *References to previous orders or recommendations.*—When the case of a convict is submitted to the Government for consideration of the question of his premature release under these rules, the number and the date of any previous reference made to the Government on the subject of premature release, and in case any orders have been previously passed by the Government in the case, the number, date and substance of such orders shall invariably be noted on the convict's nominal roll or revision sheets.

17. *Recommendations and orders to be entered in the Register.*—A note of the recommendations of the Advisory Board and the orders of the Government in each case shall be made in the Advisory Board Register.

18. *Revision sheet to be attached to commitment warrant.*—In the case of every convict released under the provisions of these rules, the convict's revision shall be attached to the commitment warrant or warrants which shall, after proper endorsement, be returned to the Court concerned.

'The following form of classification has been prescribed for the use of Magistrates. It is the duty of the Magistrate to fill in and attach this form to the record in all cases of persons sentenced by him or committed to Sessions, in order that it may be filed with the convict's warrant and sent to the Jail along with the convict.'

## APPENDIX A.

*(To be filled with the warrant)*

CLASSIFICATION of convict.....  
 son of..... convicted by (name the  
 court and the presiding officer).....  
 section or sections under which convicted .....  
 sentence.... date of  
 sentence... professional  
 criminal or not.....  
 hereditary criminal or not.....  
 specially dangerous criminal or not .. ..  
 crime for which convicted, "organised" or not .....  
 registered member of a criminal tribe or not.....

1. Whether to be treated as:

habitual.....  
 casual.... ..  
 "A" class .....  
 "B" class .....  
 "C" class .....

*(Strike out the entries not required).*

2. If imprisoned for failure to furnish security under section 110, Code of Criminal Procedure, 1898, number of items previously convicted under Chapters XII, XVI, XVII and XVIII of the Indian Penal Code, or required to furnish security under section 110.....

3. In the case of convicts sentenced to rigorous imprisonment or transportation for a term of five years or more, a brief history of the case (copy to be kept in district office) to be prepared by the District Magistrate with the assistance of the police showing the nature of the crime, the previous conduct and associations of the convict and other similar matters affecting the question or premature release whenever it may arise.

Station.....

Dated... ..

.....

*Magistrate.*

*Published in Raj. Raj-patra Vol. 2. No. 78 Dated 11-11-50 at page 588 :*

**JAILS DEPARTMENT  
NOTIFICATION.**

Jaipur, September 20, 1950.

No. F-1 (89) *Jails/50*.—The following amendments to the rules regarding Revising Boards constituted for the purpose of revising the sentences of convicts confined in the Jails in Rajasthan, published under Notification No. D. 169/*Jails/50*, in the Rajasthan Gazette, dated 29th April, 1950, are published below for general information.

1. The word 'Revising' shall be substituted by the word 'Advisory'.
2. Before the Appendix 'A' the following paragraph shall be inserted :—

'The following form of classification has been prescribed for the use of Magistrates. It is the duty of the Magistrate to fill in and attach this form to the record in all cases of persons sentenced by him or committed to Sessions, in order that it may be filed with the convict's, warrant and sent to the Jail along with the convict.'
3. The words 'A' class shall be inserted after the word 'Casual' and before 'B' class in sub-paras (?) of the Appendix 'A'.

K. RADHAKRISHNAN,  
*Chief Secretary to the*



# The Rajasthan Prisons (Shortening of Sentences) Rules, 1958.

Rajasthan Prisons (Shortening of Sentences) Rules, 1958.

## NOTIFICATION

Jaipur, December 17, 1958.

No. D. 4375 (2) F. 18/215/Home (B)/57.—In exercise of the powers conferred by clause (5) of section 59 of the Prisons Act, 1894 (IX of 1894) as in force in the Ajmer and Abu areas and in the Pre-reorganisation State of Rajasthan excluding the sub-division of the Sirohi by virtue of the Rajasthan Adaptation of Central Laws Ordinance, 1950 and in the Sunel area by virtue of the United State of Gwalior, Indore and Malwa (Madhya Bharat) Indian Prisons, Adoption Act, Sambat 2006, the State Government, hereby makes the following rules namely:—

### Rules

1. *Title and commencement.*—(1) These rules may be called the Rajasthan Prisons (Shortening of Sentences) Rules, 1958.

(2) They shall come into force with effect from the date of their publication in the Rajasthan Gazette.

### Notes.

Clause (5) of section 59 of the Prisons Act, 1894 authorises the State Government to make rules for the award of marks and shortening of sentences. The present rules have been framed in pursuance of this power.

2. *Definition.*—In these Rules—

(1) "Government" means the Government of the State of Rajasthan.

(2) "habitual criminal" means a prisoner liable to be classified as such under the Rules for the time being in force made under the Prisons Act, 1894 (IX of 1894).

3. *Constitution of Advisory Boards.*—(1) An Advisory Board shall be constituted for every Central Jail and District Jail to investigate and recommend to the Government on sentences of certain classes of prisoners with a view to release a number of such reformed prisoners as have served a sufficiently deterrent period of their sentences.

(2) For each Central Jail, an Advisory Board shall consist of the following members:—

- |  |           |
|--|-----------|
| (i) Commissioner of the division.  | Chairman. |
| (ii) District & Sessions Judge within whose jurisdiction the Central Prison is situated. | Member.   |

- (iii) Two non-official persons preferably local members of the State Legislature or Parliament, nominated by the Government. Member.
- (iv) The Superintendent of the Central Jail concerned. Secretary.

(3) For each District Jail there shall be constituted an Advisory Board at such Jail consisting of the following members:—

- (i) Commissioner of the division. Chairman.
- (ii) Two non-official persons preferably members of the State Legislature or Parliament nominated by the Government. Members.
- (iii) Sessions Judge of the district where District Jail is situated. Member.
- (iv) Superintendent or Deputy Superintendent of the District Jail concerned. Secretary.

4. *Terms of office of non-official members of the Advisory Board.*—A non-official member of an Advisory Board shall be appointed for a period of one year but the Government may further extend the period by one year or less.

5. *Meetings of Advisory Boards.*—The meetings of an Advisory Board shall be convened by the Chairman at least twice a year in the Central Jail or the District Jail concerned as the case may be, on dates appointed for the purpose, normally in the months of January and July every year.

6. *Quorum.*—The Chairman should be present at all the meetings of the Advisory Board and the quorum for a meeting shall be 50% of the total number of members constituting the Advisory Board.

7. *Scrutiny by the Advisory Board.*—The Advisory Board before recommending shortening of sentences or premature release of prisoners shall examine the following matters in full and accurate details:—

(a) Circumstances in which offence was committed and the punishment awarded by the Court;

(b) Details of the prisoner's previous history and character in the District where the prisoner was resident;

(c) Prisoner's conduct in the prison and the result of imprisonment already undergone by him;

(d) Opinion of the District Magistrate and the Superintendent of police of the Districts in which the prisoner was convicted and was resident with special reference to the following points:—

(i) the reaction in the locality if the prisoner is released prematurely;

(ii) the feelings of the relations of the victim or victims of the offence who suffered at the hands of the accused in case of premature release;

(iii) whether the life of the accused itself will be safe if he is to be released prematurely;

(iv) any other information material to the case of the prisoner; and

(v) whether the prisoner can be released with safety to the community.

8. *Prisoner's eligibility for consideration by the Advisory Board.*—The Advisory Board shall be entitled to consider cases of the following types of prisoners only:—

(i) A prisoner other than habitual criminal undergoing a substantive sentence of three years or over who has completed two years imprisonment or half of his sentence whichever is greater, including remission;

(ii) A prisoner being a habitual criminal who has served  $2\frac{1}{2}$  years of his substantive sentence, including the period of remission, or has served two-thirds of his sentence including the period of remission, whichever is greater;

(iii) A prisoner sentenced to more than 14 years imprisonment or transportation for life or to transportation and imprisonment for terms exceeding in the aggregate 14 years and has served two-thirds of his sentence including remission. A sentence for transportation for life will be construed to be one of imprisonment for 20 years for this purpose. The period of imprisonment shall include sentences in default of payment of fine, if the same has not been paid. The remission actually earned by a prisoner shall be taken into account by the Advisory Board and not a special remission granted in celebration of public function; for example, Independence Day, Republic Day etc.

(iv) Prisoners awarded long term sentences by Court-Martial and have served two thirds of their sentences including the period of remissions.

(v) Prisoners suffering from infectious diseases, such as Leprosy, tuberculosis, provided their disease is likely to be dangerous to other prisoners and conditions prescribed in Rule 7 are fulfilled.

(vi) Prisoners who have attained the age over 65 years in case of male prisoners and over 55 years in case of women prisoners in whose case no public interest is likely to be served by keeping them in prison provided they are serving sentences for their first and only conviction.

9. *Prisoners not eligible for consideration by the Advisory Board*—The Advisory Board shall not consider the cases of following types of Prisoners:—

(i) Prisoners convicted of rape, forgery, dacoity or any offence against the State involving violence. For this purpose an offence punishable under sections 466 to 469 and section

471 to 474 of the Indian Penal Code shall be deemed to be a variation of the offence of forgery and an offence punishable under sections 396 to 402 of the Indian Penal Code shall be deemed to be a variation of the offence of dacoity and prisoners convicted of these offences, as also those convicted of offences punishable under sections 366, 366A, 366B, 372, 373, 489A, 489B, 489C and 489D of the Indian Penal Code shall also be excluded from reference to the Advisory Board.

(ii) Prisoners who are habitual criminals and are homeless or having three or more convictions all of which are of such a nature as to justify their classification as 'habitual criminals',

(iii) Prisoners who are habitual criminals of the 'Goonda class',

(iv) Prisoners detained under Preventive Detention Act, 1950.

10. *Procedure*.—In order that all necessary information might be placed before the Advisory Board, the following procedure shall be adopted:—

(i) The Secretary of the Advisory Board shall collect full particulars regarding each prisoner eligible for consideration by the Board before the date appointed for the meeting of the Board and shall place full and accurate details regarding the prisoner's previous history and character, judgment of the convicting court depicting circumstances in which the offence or offences were committed and sentences were awarded, his prison record together with the report of the District Magistrate and the District Superintendent of Police of the district containing information whether the prisoner is considered fit for premature release etc. before the Board. Any other information required by the Advisory Board shall also be made available from the record of the prison.

(ii) The Advisory Board shall carefully scrutinise and consider the judgment of the court, reports of the police and Magistracy on the conduct and character of the prisoner recommended for release, any conditions suggested for release and the prisoner's conduct and behaviour in the prison before coming to a decision in each case whether a prisoner is entitled for release without any danger to himself and the community at large. The prisoner whose conduct has been exemplary in the prison should only deserve the consideration of the Advisory Board.

(iii) Report about physical and mental conditions of prisoner fit for release will be obtained by the Secretary of the Advisory Board from the Medical Officer Incharge of the prison concerned and the same shall be placed before the

Board for consideration before final recommendation is made to the Government.

(iv) The Advisory Board shall then submit its recommendations with full history of each case along with relevant papers in the Form 1 given in the Appendix to these rules, to the Government.

(v) In the case of a prisoner convicted by Courts-Martial the prisoner's antecedents need not ordinarily be inquired into and it will be sufficient to enquire about his behaviour in prison.

11. *Conditions for release.*—The Advisory Board may recommend release of a prisoner conditionally or unconditionally whenever a prisoner is to be released prematurely. Stringent conditions should be imposed on a prisoner recommended to be released conditionally and he should be made to enter into a bond in the Form 2 given in the Appendix to these rules.

12. *Consideration by Government.*—On receipt of the proceedings of the Advisory Board, and other relevant papers, the Government shall order release of prisoner in cases for which, having regard to all the circumstances of the case, it considers that the prisoner may be released without any danger to the society. In case of a prisoner sentenced by Court-Martial, the Government shall forward its recommendations to the Government of India for necessary orders.

13. *Supersession and Savings.*—The Rajasthan Advisory Board Rules, 1950 are hereby superseded but all orders passed and all other action taken under those rules shall, so far as they are consistent with these Rules, be deemed to have been passed or taken under these Rules.

## APPENDIX

Form 1 (Rule 10 (iv)).

Form 2 (Rule 11).

By Order of the Governor,  
C. S. GUPTA,  
Secretary to the Government.

FORM I  
(Rules 10(iv))

Recommendation of Advisory Board...	... .. as on...	.... (date)
(Place)		

Convict Register No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	Remarks.
Name, parentage with husband's name, if female.	Age on admission.	Previous occupation.	Village.	Police Station	District.	Division.	Residence	Offences with sections.	Name of sentencing courts.	Dates of sentences.	Sentences (in years and months).	Sentences served already in years and months.	Remission already earned.	Total of columns 13 and 14.	Date of expiry of sentence.	Previous convictions with dates, offences and place of each.	Mental and Physical condition reported by Medical officer (Jails).	Special service rendered, if any, such as detection of escape, impending mutiny etc,	Character & conduct in Jail with Supdt's opinion reg. release.			

checked with warrants and records of remission and certified as correct.

Full signature of Jailor.

Signature of Medical Officer.

Full signature of Superintendent

Central/District ... ..Jail.

Date....	....	Date....	....
Date....	....	Date....	....

FORM 1 (Contd.)

Rule 10 (iv).

No. Dated

Forwarded to the District Magistrate for report on the

Supdt. of Police

following points as provided in Rule 7 of the Rajasthan Prisons (Shortening of Sentences) Rules, 1958:—

- (i) The reaction in the locality if the prisoner is released prematurely;
- (ii) The feelings of the relations of the victim or victims of the offence who suffered at the hands of the accused in case of premature release;
- (iii) Whether the life of the accused itself will be safe if he is to be released prematurely;
- (iv) Any other information material to be case of the prisoner;
- (v) Whether the prisoner can be released with safety to the community, and whether, they are of opinion that the prisoner may be released conditionally or unconditionally. If conditional release is recommended conditions to be imposed may also be indicated.

Secretary of the Advisory Board  
(Supdt. of Central Jail..... . )  
District

Report of District Magistrate  
Supdt. of Police

Signature of Supdt. of Police. Signature of District Magistrate.

Recommendation of the Advisory Board.

No... .. Date.....

The Advisory Board considered the case of this convict in its meeting held on ... ..in.....prison and after careful  
(date) (name)

scrutiny of the relevant record and the opinion of the Superintendent Jail, Medical Officer of Prison, District Magistrate and the Superintendent of Police of... ..district and taking into account all the  
(name)

factors given in rules 7 and 8 of the Rajasthan Prisons (Shortening of Sentences) Rules, 1958 does hereby make the following recommendation for the premature release of the convict.....  
(name and convict No.)

1. Circumstances in which offence was committed and sentences were awarded. ....
2. Prisoner's previous history and character in the district where he was resident. ....

3. Prisoner's conduct in the Prison and result of sentence already undergone. ....
4. Prisoner's mental and physical condition in the prison. ....
5. Sentence undergone in years and months. ....
6. Remissions earned. ....
7. Total of 5 and 6. ....
8. Age of prisoner on the date of report. ....
- 9- Whether Board agrees with the opinion of DM/SP and Supdt. Central or Distt. Jail ....
10. Whether conditional/unconditional release recommended and in the former cases conditions to be indicated. ....
11. Final remarks. ....

Place .....

Date.....

Signature of the Advisory Board.

... ..Chairman.

... ..Member.

... ..Member.

... ..Member.

... ..Secretary

## FORM 2

(Rule 11)

## BOND

Whereas I (name).... ..son of.... ..inhabitant of (place .. ..was sentenced to.... ..imprisonment for a period of.... ..from.... ..and.... ..have been ordered to be released by the State Government before the date of expiry of my normal period of imprisonment on condition of my entering into a bond to observe the conditions specified hereafter; I hereby bind myself to the Governor of the State of Rajasthan for the unexpired period of my sentence as follows:—

(1) That I will present myself, within fourteen days from the date of my release, before the Superintendent of Police of the district to which I belong or before the Police Circle Officer who has jurisdiction over my place of residence and will produce copies of the order and the bond executed by me;

(2) That I will submit myself to the supervision of the said Police Officer;

(3) That I will keep the said Police Officer advised of my place of residence and means of livelihood;

(4) That I will not quit the said district of.... ..without the written permission of the said Police Officer;

(5) That I will not associate with bad characters or lead a dissolute life;



(6) That I will live honestly and peaceably and will endeavour to earn an honest livelihood;

(7) That I will not commit any offence punishable by any law in force in the Indian Union;

(8) That I will carry out such lawful directions as may from time to time be given by the said Police Officer for the due observance of the conditions mentioned above.

(9) That in the case of breach of any of the above conditions on my part, I hereby bind myself to forfeit to the Government of... ..the sum of rupees.... ..and to render myself liable to be re-arrested to undergo the unexpired portion of my sentence of imprisonment on the date of release.

In witness whereof I have appended hereunto my signatures/  
thumb impression this the.... ..day of.... ..

Signature/Thumb impression.

Witnesses—

(1)

(2)

# Rajasthan Prisons (shortening of sentences) Rules, 1958

Home "B" Gr. II Department

## NOTIFICATION

*Jaipur, October 23, 1961.*

No. F. 4 (17) (10) H. B-Gr. II/61,—The Government have been pleased to order that the following amendment shall be made in the Rajasthan Prisons (Shortening of Sentences) Rules, 1958:—

The existing Sub-Rules (2) and of Rule 3 of the Rajasthan Prisons (shortening of sentences) Rules, 1958, shall be substituted by the following sub-paras:—

2. For Advisory Board Central Jail, Jaipur:—

1. Home Secretary to the Government .....Chairman.
2. Next Senior Most Judicial Officer to the District and Sessions Judge within whose jurisdiction the Central Jail is situated ... .. Member.
3. Two non-official persons preferably local Members of the State Legislature or Parliament nominated by the Government ... ..Member.
4. The Superintendent of Central Jail Concerned.....  
.... .. Secretary.

3. For Advisory Board Central Jail Jodhpur:—

1. District Magistrate of the Head Quarter .. Chairman.
2. Next Senior Most Judicial Officer to the District and Sessions Judge within whose Jurisdiction the Central Jail is situated.... .. Member.
3. Two Non-official persons preferably Local members of the State Legislature or Parliament nominated by the Government.... ..Member.
4. The Superintendent of the Central Jail Concerned ....  
.... ..Secretary.

### Note

Sub-part (2), (3) and (4) Stand substituted for the previous sub-rule (2) and (3) vide.

Home "B" Gr. II Department Notification No. F. 4 (17) (10) H. B-Gr. II/61 dated October 23, 1961 published in Rajasthan Raj-patra part IV (c) dated November 16, 1961.

4. For Advisory Boards District Jails:—

1. District Magistrate of the Headquarters Chairman
2. Next Senior Most Judicial Officer to the District an  
Sessions Judge where District Jail is situated.... ..  
.... ....Member.

3. Two Non-official persons preferably members of the  
State Legislature or parliament nominated by the Government  
.... ....Members.

4. Superintendent or Deputy Superintendent of the  
District Jail Concerned.... ....Secretary.

By Order.

Z S. JHALA

Secretary to the Government.

# RAJASTHAN PRISONS RULES, 1951

Home (B-11) Department

Jaipur, March 25, 1966.

*Notifications No. F. 1 (17) (39) HB/Gr. 11/65.*—In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (Central Act 9 of 1894), as adopted to the State of Rajasthan, the State Government hereby makes the following amendment to the Rajasthan Prisons Rules, 1951 namely:—

## AMENDMENT

In rule 9 of part XIX of the said Rules, for the words “annas eight per mensem” the word “rupees two per mensem” shall be substituted.

[Pub.in Raj. Gaz. 4 (Ga)—Dt. 26-5-66—Page 127 (14)]

Home (B-11) Department

Jaipur, May 31, 1966.

*Notifications No. F. 1 (17) (38) HB/Gr. II/64.*—In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (Central Act 9 of 1894), as adopted to the State of Rajasthan, the State Government hereby makes the following amendment to the Rajasthan Prisons Rules, 1951, namely:—

## AMENDMENT

In section II of part XXII of the said Rules after the existing rule 55, the following new rule shall be added, namely:—

“56 (1) With a view to facilitating the exercise of consular functions relating to nationals of the sending state—

- (a) The competent authorities shall, without undue delay inform the competent consulate of the sending state if; within its district, a national of that State is committed to prison or to custody pending trial or is detained in any other manner. Any communications, addressed to the consulate by the person in prison, custody or detention shall also be forwarded by the said authorities without undue delay;
- (b) Consular officials shall have the right to visit a national of the sending a state who is in prison, custody or detention, for the purpose of conversing with him and arranging for his legal representation. They shall also have the right to visit any national of the sending

State who is in prison, custody or detention in their district in pursuance of a judgment.

(2) The rights referred to in sub-rule (1) of this rule shall be exercised in conformity with the laws and regulations of the receiving State subject to the proviso, however that the said laws and regulations must not nullify these rights."

*Explanation*—The right conferred on the consular officer under rule 56 above is merely the right of interviews not of private interview, and does not include the right to inspect the accommodation of a national of the sending State who is in prison, custody or detention.

[ Pub. in Raj. Gaz. 4 (Ga)—Dt. 14-7-66—Page 236 ]

Home (B) Gr. II Department

Jaipur, March 28, 1967.

*Notification No. F. 1 (17) 30 HB/Gr/II/65.* In exercise of the powers conferred by section 59 of the prisons Act, 1894 (Central Act IX of 1894), as adopted to the State of Rajasthan the State Government hereby makes the following amendment to the Rajasthan Prisons Rules, 1951, ( hereinafter referred to the said Rules ) namely:—

### AMENDMENTS

In part II of the said Rules:—

1. in rule 5, clause (iii) of sub rule (2), shall be omitted.

2 in rule 17, for the figure and word "14 days", the figure and word "7 days" shall be substituted.

[ Pub. in Raj. Gaz. 4 (Ga) Dt.—15-6-67 Page 204 ]

Home (B-Gr. II) Department

Jaipur, November 17, 1966.

*Notification No. F 1 (17) (20) HB/II/65.*—In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (Central Act 9 of 1894), as adapted to Rajasthan the State Government hereby makes the following amendment to Rajasthan Prisons Rules, 1951, namely :—

### AMENDMENT

To rule 12 (a) of section 1 of part X of the Rajasthan Prisons Rules, 1951, the following proviso shall be added, namely:—

"Provided that the Inspector General of Prisons/District Superintendent of Jail in his discretion can order the removal of ankle rings in case of those convicts whom he considers not dangerous."

[Pub. in Raj Gaz. 4 [Ga]—Dt. 6-4-67-Page 52]

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*Rules and Notifications under*

PRIZE COMPETITION ACT, 1955.  
( CENTRAL ACT No. 42 OF 1955 )

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# RAJASTHAN PRIZE COMPETITIONS RULES, 1956.

Jaipur, March 9, 1956

No. D. 1496/F. 18 (49)-L/55—In exercise of the powers conferred by section 20 of the Prize Competitions Act, 1955 (Central Act No. 42 of 1955), the Government of Rajasthan is pleased to make the following Rules, the same having been previously published, namely:—

1. *Short title.*—These rules may be called the Rajasthan Prize Competitions Rules, 1956.

## Notes

Section 20 of the Prize Competition Act authorises a State Government to make rules for carrying out the purposes of the Act and specifically requires it to provide for the following matters:—

- (a) the form and manner of application for a licence and the fees, if any, for such licence;
- (b) the period for which, the conditions subject to which and the form in which, a licence may be granted;
- (c) the form in which and the intervals at which statement of accounts shall be submitted to the licensing authority;
- (d) the time within which an appeal against a decision of the licensing authority may be preferred to the State Government;
- (e) any other matter which is to be or may be prescribed.

These rules have been framed for making provisions in this regard.

1A. *Extent and revocation.*—(1) These rules shall extend to the whole of the State of Rajasthan.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

- (a) ‘form’ means a form appended to these rules;
- (b) ‘licence’ means a licence granted under section 6 of the Act, and
- (c) ‘the Act’ means the Prize Competitions Act, 1955 (42 of 1955).

3. *Form and manner of application for licence.*—Every application for a licence under sub-section (1) of section 6 of the Act shall be in Form A and shall be either submitted personally, or sent by registered post, by the applicant to the licensing authority.

## Notes

A prize competition, where the prize offered does not exceed one thousand rupees a month are required to be licenced under sub-section 1 of section 5 of the Act. Sub-section (1) of section 6 of the Act requires that,—(1) Every person desiring to obtain a licence referred to in section 5 shall make an application in writing to the licensing authority in such form and manner as may be prescribed.

The rule prescribes the form and manner of application referred to in this sub-section.

4. *Form and particulars of licence.*—(1) Every licence shall be in Form B and shall be subject to the conditions and restrictions therein specified and to the provisions of the Act and these rules.

(2) Every such licence shall be effective throughout the entire State.

5. *Period of validity of licence and its renewal.* - Every licence shall be valid initially for a period of one year from the date of its issue and shall lapse on the expiry of that period; but the licensing authority may on application made by the licensee in this behalf in Form A before the expiry of the period of validity of the licence, renew it from time to time for such further period not exceeding one year in each case as may be decided by that authority in its discretion.

6. *Fees for grant and renewal of licence.*—(1) The fee for every licence shall be—

(a) Rs. 25/- where an entry fee is charged in respect of a prize competition; and

(b) Rs. 10/- where no such entry fee is charged.

(2) Such fee shall be paid by the applicant into a Government treasury or sub-treasury on Government account or paid in cash or sent by money order to the licensing authority.

(3) The fee for the renewal of a licence shall be one-half of the fee leviable for the grant of the original licence

(4) No application for the grant or renewal of a licence shall be entertained unless the amount of the fee in each case is paid or sent as aforesaid provided that if the licence is not granted or renewed, the applicant shall be entitled to a refund of the fee paid by him.

#### Notes

The rules 4, 5 and 6 are meant to put into effect the provisions of sub-section (4) of section 6 of the Act which reads as under:—

The fees on payment of which, the period for which, the conditions, subject to which, and the form in which, a licence may be granted shall be such as may be prescribed.

7. *Limitation for appeals.*—Every appeal to the State Government under section 16 of the Act shall be preferred within a period of 30 days from the date on which a copy of the brief statement of the reasons for the refusal to grant, or cancellation or suspension of, a licence is furnished to the applicant or licensee as the case may be

#### Notes

The present rule stands as substituted by subsequent amendment vide notification appended to these rules. Section 16 of the Act, providing for the right of appeal, reads as under:—

Any person aggrieved by the decision of the licensing authority refusing to grant a licence or cancelling or suspending a licence may, within such time as may be prescribed, prefer an appeal to the State Government and decision of the State Government on such appeal shall be final.

8. *Bar or transfer of licence.*—No licensee shall sell or otherwise transfer the licence granted to him or enter into any partnership with any person for the purpose of promoting or conducting a prize competition or prize competitions under such licence.



9. *Loss of licence.*—When a licence is lost or destroyed, a duplicate copy thereof may be furnished to the licensee on payment of a fee of—

(a) Rs. 10/- for a licence where an entry fee is levied in the prize competition; and

(b) Rs. 5/- for a licence where no such entry fee is levied.

10. *Production of licence on demand.*—Every person acting under or holding a licence shall produce the same whenever called upon to do so by the licensing authority or by an officer duly empowered by the licensing authority in this behalf.

11. *Entry fee.*—(1) Where an entry fee is charged in respect of a prize competition, such fee shall be paid in money only and not in any other manner.

(2) The maximum amount of an entry fee shall not exceed Re. 1/- where the total value of the prize or prizes to be offered is rupees one thousand but not less than rupees five hundred; and in all other cases the maximum amount of an entry fee shall be at the following rates, namely:—

(a) As. -/8/- where the total value of the prize or prizes to be offered is less than rupees five hundred but not less than rupees two hundred and fifty; and

(b) As. -/4/- where the total value of the prize or prizes to be offered is less than rupees two hundred and fifty.

12. *Maintenance of Register.*—Every licensee shall maintain in respect of each prize competition for which a licence has been granted a register in Form C and shall, for the purpose of ensuring that not more than two thousand entries are received for scrutiny for each such competition, take the following steps, that is to say, shall—

(a) arrange to receive all the entries only at the place of business mentioned in the licence;

(b) serially number the entries according to their order of receipt;

(c) post the relevant particulars of such entries in the register in Form C as and when the entries are received and in any case not later than the close of business on each day; and

(d) accept for scrutiny only the first two thousand entries as they appear in the register in Form C and ignore the remaining entries, if any, in cases where no entry fee is charged and refund the entry fee received in respect of the entries in excess of the first two thousand to the respective senders thereof in cases where an entry fee has been charged after deducting the cost (if any) of refund.

13. *Keeping books of accounts.*—The accounts referred to in section 7 of the Act shall be maintained according to the following provisions, namely:—

(a) there shall be a cash book in Form D and all transaction relating to each prize competition shall be entered in the appropriate sections of the cash book;

(b) the cash book, both on the receipt side and on the expenditure side, shall be written up day by day, and at the end of each day's transaction the total of receipt and expenditure for the day and the progressive total receipts and expenditure since the commencement of the prize competition to which the entries relate, shall be struck; and

(c) at the close of each prize competition and abstract of the total receipts and expenditure on account thereof, including the expenditure on the award of prizes shall be exhibited in the cash book itself; and where prizes are awarded to competitors who have submitted free entry coupons, the fact shall be clearly stated and full particulars of such successful competitors shall be clearly and separately shown in the cash book.

14. *Furnishing statement of accounts.*—Every licensee shall, within 15 days of the close of each month, submit to the licensing authority a return in Form E of the total sum received and the total expenditure incurred by such licensee during the month.

15. *Production of register and cash book for inspection.*—Every licensee shall make available for the inspection of the licensing authority or such officer as that authority may nominate in this behalf, at all reasonable times and on demand, the register in Form C, the cash book in Form D and all vouchers and such other papers as may have a bearing on the conduct of the prize competition.

#### Notes

Rules 13, 14 and 15 prescribe the procedure for putting into effect the provisions of sections 7 and 13 of the Act which read as under:—

(7) Every person who promotes or conducts a prize competition in accordance with the provisions of this Act and the rules made thereunder shall keep accounts relating such competition and submit to the licensing authority a statement of accounts in such form and at such intervals as may be prescribed.

(13) The licensing authority may:—

(a) require any person promoting or conducting a prize competition to produce before it the accounts and other documents kept by such person or to furnish to it such other information relating to the prize competition as it may require;

(b) inspect at all reasonable times the accounts and other documents kept by such person.

16. *Committee to scrutinise prize competitions.*—(1) As soon as may be after a licence has been granted, the licensing authority shall constitute a committee for the purpose of scrutinising the conduct and result of each prize competition that may be promoted under the licence.

(2) The committee shall consist of a Chairman who shall be the licensing authority or any officer of the State Government nomi-

nated by the licensing authority and not more than five other members of whom the licensee shall be one and the rest shall be non-officials of standing in the local area concerned, to be appointed by the licensing authority.

## FORM No. 'A'

(See Rule 3).

Application for the grant or renewal of a Licence under the Prize Competitions Act, 1955 (42 of 1955).

The replies to be written in this column.

1. Full name and address of the applicant: .....
2. Place of business: .....
- \*3. Particulars of the prize competition (or competitions) for which licence/renewal of licence is applied for, including the entry fee (if any) to be charged, the value of the prize or prizes to be offered and how the entries will be scrutinised and the prize winning competitors selected. ....
4. Whether the applicant had applied for a licence before and, if so, with what results. ....
5. Any further particulars which the applicant may like to furnish. ....

Date of application.

Signature of the applicant.

\**Explanation*:-The applicant shall furnish with the application a specimen entry form and any other literature proposed to be issued in connection with the prize competition.

## FORM No 'B'

(See Rule 4)

*Licence for the promotion and conduct of a Prize Competition (or Competitions) under sub-section (2) of section 6 of the Prize Competitions Act, 1955 (Act No. 42 of 1955).*

Licence No.

Name of licensee .....

Address .....

Situation and place of business .....

Town or village (Name of street and number of premises in

the case of town) .... Taluka .....

District ..... is hereby granted a licence subject

to the provisions of the Prize Competitions Act, 1955 (hereinafter

called "the Act") and the rules thereunder for promotion of the

prize competition (or competitions) described in the schedule annexed

to this licence, for the period from ..... 19

to ..... 19, both days inclusive, subject to the

conditions hereinafter mentioned, namely:—

*Conditions.*

1. The licensee shall afford all facilities for the checking of his accounts and shall, at all reasonable times produce for inspection accounts or other documents and shall furnish fully and correctly any information in his possession as may be required for the purposes of the Act by the Licensing Authority or any officer authorised by the Licensing Authority in this behalf.

2. The licensee shall not vary the details of the competition entrance fee and the prizes stated in respect thereof in the Schedule hereto annexed without the previous permission of the Licensing Authority.

3. The licensee shall state in a prominent place in every publication, ticket or coupon issued in connection with the prize competition (s) that he has obtained such licence and shall also specify in such publication, ticket or coupon the number and date of the licence.

"3A. The licensee shall not promote or conduct any competition outside India and all tickets, coupons, advertisements, posters and bills, list of prize-winners and other documents for use in the prize competition or description of such competition or otherwise relating thereto, shall bear in bold letters a note stating that the competition shall not be available for persons residing outside India.

(3 B). In every prize competition, the licensee shall deposit the solution pre-determined by him with reference to that prize competition in a sealed cover with the Licensing Authority before any publication, ticket or coupon relating to such prize competition is issued by him.

4. The licensee shall not entertain more than two entries from any one competitor and in every prize competition the total number of entries shall not exceed two thousand.

5. In any competition—

(i) fees payable in respect of all entries offered or allowed by the licensee shall be at uniform rates;

(ii) the licensee shall not give any rebate or offer any concession whatsoever to any class of competitors;

(iii) the licensee shall not allow any bonus in any form in addition to the prize or prizes to be given to any competitor;

(iv) the licensee shall not allow any remuneration, award or prize to any agent for the collection of solution of competitors.

6. If the licence is suspended or cancelled for any reason, the licensee shall not be entitled to any compensation for such suspension or cancellation or to the refund of any fee paid in respect thereof.

Dated this..... day of ..... 19 .....

Seal of the Licensing  
Authority.

Signature of the Licensing  
Authority.  
Designation.

## FORM 'C'

(See Rule 12)

Name of the licensee  
 Address at which entries are to be received  
 Number of licence  
 Nature and description of the Prize  
*Competition.*  
 Prize or Prizes offered for the competition.  
 Amount of entry fee.

S. No.	Name and address of the competitor.	Date of receipt of the entry.	Whether received by post or by hand.	Is the entry fee if not the amount of fee received.
1	2	3	4	5

## FORM 'D'

(See Rule 13)

1. Name and address of the Licensee.
2. Place of business.
3. Number of licence.
4. Nature and description of the prize competition.
5. Prizes offered.

## RECEIPTS.

## EXPENDITURE.

Date.	Name of competitor.	S. No. of the entry in the register in Form 'C'	Amount of entry fee received.	Date.	To whom paid.	Purpose.	Amount.
1	2	3	4	5	6	7	8

Total for the day.  
 Progressive total (from the commencement of the competition).

Total for the day.  
 Progressive total (from the commencement of the competition).

## FORM 'E'

(See Rule 14)

Name and address of the licensee. ....

Place of Business. ....

Number of License. ....

Nature and description of the Prize  
Competition. ....

Prizes offered. ....

Month.	Total No. of coupons received.	Total No. of free entry coupons.	Total sum received in respect of such competition.	Expenditure.	Remarks.
1	2	3	4	5	6

I do hereby declare that I have compared the above particulars with my Register in Form 'C' and the Cash Book in Form 'D' and they are, in so far as I can ascertain, accurate and complete.

Dated this.....day of.....19 .

Signature of the licensee.

By Order of,  
His Highness the Rajpramukh.  
PRABHU DAYAL LOIWAL,  
Secretary to the Government.

*Notifications under*

**Prize Competitions Act, 1955**

*Published in Raj. Raj-patra part IV (c) dated May 24, 1962 at page 13*

Home 'A' Department

**NOTIFICATION**

Jaipur, March 11, 1962.

No. F. 3 (2) Home (A-Gr II)/62.—In exercise of the powers conferred by clause (a) of section 2 of the prize competitions Act, 1955 (Central Act XLII of 1955), the State Government hereby appoints all Collectors within their respective jurisdictions to be the licensing authority for the purpose of granting licences under the said Act.

By Order,

SHIVSHANKER,

Secretary to Government.

*Published in Raj. Raj-patra I (b) dated July 5, 1962 at Page 33 :*

Home (A) Department

**CORRIGENDUM**

Jaipur, June 18, 1962.

No. F. 3 (2) Home (A-Gr. II)/62.—The date of this Department Notification of even number published in the Government Gazette No. 8 dated 24-5-1962 on page 13 of part I B as 11-3-1962' regarding appointment of the Licensing authority for purpose of granting the licenses under the prize Competitions Act, 1955 may be read as the 23rd April, 1962'.

By Order,

SHIVSHANKER,

Secretary to the Government,

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*Rules and Notifications under*

PROBATION OF OFFENDERS ACT, 1958.  
( CENTRAL ACT No, 20 OF 1958 ).

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# Rajasthan Probation of Offenders Rules, 1962.

## SOCIAL WELFARE DEPARTMENT NOTIFICATION

*Jaipur, October 1, 1962.*

No. F. 12 (13) S. W-/61.—In exercise of the powers conferred by section 17 of the Probation of Offenders Act, 1958 (Central Act 20 of 1958), the State Government hereby makes the following rules, the same having been previously published in the Rajasthan Gazette, Extraordinary, Part III-B, dated 2nd January, 1962, and approved by the Central Government as required by sub-section (1) of section 17 of the said Act, namely :—

### *I. Preliminary.*

1. *Short title.*—These rules may be called the Rajasthan Probation of Offenders Rules, 1962.

2. *Definitions.*—In these rules, unless the context otherwise requires —

(a) “Act” means the Probation of offenders Act, 1958 (Central Act 20 of 1958);

(b) “Chief Controlling Authority” means the officer appointed under rule 4;

(c) “Chief Probation Officer” means an officer appointed by State Government under rule 3 (3);

(d) “Form” means a form appended to these rules;

(e) “Part time Probation Officer” means a Probation Officer, other than a Salaried Probation Officer, recognised by the State Government under section 13 (1) (a) of the Act or provided by a society under section 13 (1) (b) of the Act, who is remunerated by fees of honorarium and not by salary or who works without remuneration.

(f) “Probation district” means a district or a bigger or smaller area as may be specified by the State Government;

(g) “Probationer” means any offender in respect of whom a supervision order is in force;

(h) “Salaried Probation Officer” means a whole time Probation Officer appointed or recognised by the State Government under section 13 (1) (a) of the Act, or provided by a Society under section 13 (1) (b) of the Act, who is remunerated by salary and not by fees or honorarium;

(i) “Special Probation Officer” means a Probation Officer appointed by the Court under section 13 (1) (c) of the Act; and

(j) “Supervision order” means an order passed under section 4 (3) of the Act.

## II. Departmental Control of Probation Officers.

3. *Probation Officers and their control.*—(1) The state Government may appoint for each probation district such number of persons as it thinks fit to be Probation Officers for the purposes of the Act.

(2) All Probation Officers (whether appointed or recognised by the State Government in each probation district shall be under the control of Probation Officer specified by the State Government in this behalf and designated as District Probation Officer.

(3) All such Probation Officers in the State shall be under the control of the Chief Probation Officer to be appointed by the State Government.

4. *Chief Controlling Authority.*—The State Government may appoint one of its officers to be the Chief Controlling Authority for the purpose of these rules, who shall exercise administrative control over all the Probation Officers, District Probation Officers and the Chief Probation Officer and shall perform such other functions as may, from time to time, be assigned to him by the State Government.

5. *Chief Probation Officer.*—Subject to the control and supervision of the Chief Controlling Authority, the Chief Probation Officer shall be responsible for administering the work of Probation throughout the State and his duties and responsibilities shall include:—

(a) control, guidance and supervision of the work of District Probation Officers and other Probation Officers;

(b) assisting and fostering after care work in the State and other activities for the purpose of rehabilitation of offenders, and maintaining contact with other related associations and the public;

(c) submission of statistical or other returns and reports as required to the Chief Controlling Authority; and

(d) such other functions as may be assigned to him by the Chief Controlling Authority or the State Government.

6. *District Probation Officer.*—(1) The headquarters of a District Probation Officer shall be the headquarters of the district or such other place as may be fixed by the Chief Controlling Authority. The jurisdiction of the District Probation Officer shall extend to the whole of the probation district in which he is posted.

(2) He shall:—

(a) be responsible for the working of probation in the whole area within his jurisdiction;

(b) control, guide and supervise the work of Probation Officers in the District;

(c) submit to the Chief Probation Officer periodical reports on the conduct and progress of all probationers in his

jurisdiction, and reports of cases dealt with under section 9 of the Act;

- (d) submit to the Chief Controlling Authority, the Chief Probation Officer, the District Magistrate and the Court such other reports, as may be required by the Chief Probation Officer or the Chief Controlling Authority or the State Government;
- (e) perform such other functions as may be assigned to him by the Chief Probation Officer or the Chief Controlling Authority.

### III. Probation Officer Qualifications for Appointment and Conditions of service.

7. *Leave.*—Casual leave may be granted:—

- (a) to Probation Officers employed by the State Government at the headquarters of the State and to District Probation Officers by the Chief Probation Officer; and
- (b) to any Probation Officer in district by the District Probation Officer.

(2) All other leave shall be granted to the Probation Officers by the Chief Controlling Authority.

8. *General attributes of Probation Officer.*—While appointing Probation Officers due regard shall be had to the followings general attributes of a Probation Officer:—

(a) adequate educational attainments;

(b) good character and personality suitable for influencing persons placed under his supervision in two essential respects viz., (a) conforming to law during the period of Probation and (b) reformation of character and attitude to social behaviour, so as not to revert to crime;

(c) maturity of age and experience;

(d) aptitude, zeal and calling for probation work.

9. *Qualifications of salaried Probation Officers.*—(a) A Salaried Probation Officer appointed by the State Government shall possess such qualifications as may be prescribed by the State Government.

(b) Every Salaried Probation Officer, before being entrusted with supervision of a Probationer, shall have received adequate training.

10. *Qualifications of part time Probation Officer.*—A part time Probation Officer appointed in a district shall be:—

(a) a graduate;

(b) not less than 30 years of age;

(c) a resident of the district;

(d) in a position to devote adequate time to supervision of Probationers.

(e) a person having sufficient practical experience in Social Welfare work or in teaching or in moulding of character: and.

(f) fully conversant with the Act and these Rules.

11. *Appointment and registration of Probation Officers.*—

(1) The procedure relating to the appointment of probation Officer by the State Government shall be in accordance with general rules relating to recruitment of such Officers.

(2) Names of individuals in different localities for recognition as part time Probation Officers submitted by a society or by the District Magistrate or the Chief Probation Officer may be considered by the State Government.

(3) (a) The names of all Probation Officers recognised by the State Government with their addresses shall be entered in a register kept by the Chief Probation Officer.

(b) Lists containing the names of (i) Probation Officers appointed by the State Government (ii) Salaried Probation Officers provided by the Societies and (iii) Part time Probation Officers, for services in the district or in specified areas of the district or allocated to specified courts in the district, shall be kept by the District Probation Officer and made available to the court whenever necessary.

12. *Special Probation Officer* —(1) The court may appoint a Special probation Officer under section 13 (1) (c) of the Act in view of the special circumstances of a particular case, when no Probation Officer on the lists referred to in rule 11 (3) (b) is available or is considered suitable enough to attend to the case. A Court or District Magistrate may also appoint a Special Probation Officer under section 13 (2) of the Act.

(2) In deciding whether a person is suitable for appointment as a Probation Officer in a particular case under section 13 (1) (c) or section 13 (2) of the Act, the court or the District Magistrate may take into consideration (a) the general attributes specified in rule 8 and the provisions of rule 13, (b) his age, position, character and attainments and relationship to the offender, and (c) his ability to follow these rules and to discharge the duties of Probation Officers.

13. *Choice of Probation Officers (Precautions).*—(1) Female Probationers should not ordinarily be placed under the supervision or control of male Probation Officers.

(2) Religious persuasions of the Probationer and the Probation Officer should be taken into consideration.

(3) While choosing a Probation Officer for supervision in a particular case, the court may, where necessary, consult the District Probation Officer.

14 *Terms and Conditions of service.*—(1) (a) subject to the provisions of these rules, the general terms and conditions of service applicable to Probation Officers appointed by the State Government shall be the same as those prescribed for other officers of the State Government of similar status and responsibility.

(b) Salaries, allowances and other terms and conditions of service applicable to Salaried Probations Officers appointed by a Society shall be prescribed by the Society in accordance with these rules and the instructions issued by the Chief Controlling Authority or the State Government under rules 23 (3) (b).

(c) A part time Probation Officer may be paid (i) a fixed remuneration with due regard to the nature and extent of the duties he is required to perform or (ii) an honorarium; or he may work without accepting any remuneration

(d) A Special Probation Officer may be paid, if the Court so directs, remuneration or allowances for supervision of probationers at rate similar to those prescribed for part time Probation Officers.

(2) (a) Every Probation Officer shall be furnished with an Identity Card in Form I. The Identity Card shall be used only when necessary in connection with his work and shall be returned to the Chief Probation Officer on suspension or termination of his appointment.

(b) Probation Officers shall not wear any uniform or badge.

#### IV. Probation Officers—Duties and Responsibilities.

15. *Departmental responsibilities.*—(1) Every Probation Officer shall carry out the directions of the Chief Probation Officer and the Chief Controlling Authority.

(2) Every Probation Officer shall inform the District Probation Officer, as soon as a probationer is placed under his supervision of that fact and of the particulars with such other facts as may be prescribed by the Chief Probation Officer.

(3) Every Probation Officer shall submit: —

- (a) to the District Probation Officer a monthly report on the progress of each probationer placed under his supervision (in Form VII) and copies of presentence report and of other reports submitted to a court or District Magistrate; and
- (b) to the Chief Probation Officer and the District Probation Officer such periodical reports and statistics as may be required

16. *Presentence Report.*—(1) For the purpose of section 14 (a) of the Act, the Probation Officer shall, after making discreet inquiries regarding the Offenders character and antecedents, his social environmental conditions, the financial and other circumstances of his family, the circumstances in which the alleged offence

was committed and any other facts which the court has directed him to enquire into, put down the relevant facts fully and faithfully in the report, as nearly as may be in Form III.

(2) The summary of the case shall include an objective statement of facts alongwith the Probation Officers assessment of the case, so as to help the court in determining the most suitable method of dealing with the offender after he is found guilty.

(3) The report shall be treated as confidential and delivered to the court on the date specified by it; it should be enclosed in a sealed cover, if sent to the court or delivered on a date prior to the date of delivery of judgement.

17. *Supervision of Probationers.*—(1) The Probation Officer shall act as a friend and guide of the Probationer. For this purpose he shall subject to any provision of the supervision order, require the probationer to report to him at stated intervals, meet him frequently and keep in close touch with him.

(2) at the first meeting the Probation Officer shall —

- (a) explain to the probationer the conditions of the supervision order;
- (b) advise him as to how he should conduct himself; and
- (c) specify the days on which he should report to officer, the time and place of reporting being so arranged as to avoid unnecessary hardship to the probationer and to secure proper privacy; and inform the probationer that any omission on his part in so reporting will have to be satisfactorily accounted for.

(3) The Probation Officer shall visit the Probationer periodically in his home surrounding and where appropriate his occupational environment in order to see the progress made by the probationer and the difficulties, if any, met with by him.

Provided that in case of young offenders attending School or College, the Probation Officer shall not visit the probationer in the institution, but may make discreet enquiries of the teacher or tutor or head of the insitution regarding his attendance, conduct and progress, without prejudicing the probationers interest in any way.

(4) The frequency of the meeting including visits by the officer, should depend upon the conduct and mode of life of the probationer and upon the progress he is making. But the number of meetings should be, unless the court direct otherwise, not less than—

- (a) once a week, during the fist month,
- (b) once a fortnight during the rest of the first half of the period of probation; and
- (c) once a month during the remaining period.

(5) The Probation Officer shall endeavour, by example, advice, persuasion and assistance and where necessary by warning to ensure that (a) the probationer does not violate the conditions of

the supervision order or commit any further offence and behaves in conformity with law and (b) his behaviour, attitude to society, habits, character and morals improve, so that he may not revert to crime.

(6) The Probation Officer shall also take such action as he deems necessary for better regulation of the conduct and mode of life of the probationer or for closer supervision over him.

18. *Duties in relation to courts.*—(1) The Probation Officer may move the court before which the probationer is bound to vary the conditions of the bond by way of tightening or relaxing them, as may be required by the conduct of the probationer.

(2) If the Probation Officer considers that the probationer has made sufficient progress and further supervision is not necessary, he shall make through the Chief Probation Officer an application to the court for discharging the bond under section 8 (3) of the Act.

(3) If a probationer fails to observe any of the conditions of the bond or behaves in manner indicating that he is not likely to fulfil the purpose of the supervision order, the Probation Officer shall report the fact to the Court or the District Magistrate for such action as may be considered necessary.

(4) The Probation Officer shall consult the District Probation Officer with regard to appeal or revision under section 11 of the Act.

19. *Responsibilities in relation to District Magistrate.*—The Probation Officer shall:—

(1) carry out any directions that the District Magistrate, or other officer not below the rank of a Sub-Divisional Officer duly authorised by him to act on his behalf, may give regarding supervision of a probationer.

(2) submit such reports to the District Magistrate on the progress of probationers as may be required, as nearly as may in Form VII;

(3) reports to the District Magistrate—

(a) Cases where conditions of the supervision order or bond are not adhered to, which would include, *inter alia*,—

(i) the Probationer changing his residence,

(ii) any fresh offence committed by the probationer,

(iii) any serious violation of the conditions of the supervision order, and

(iv) any plan of the probationer to abscond;

(b) any attempt by any person to aid or abet the probationer in commission of a crime or otherwise influence him so as to adversely affect his conduct and reformation; and

(c) the factors, if any obstructing the rehabilitation of the probationer.

20. *Rehabilitation and After care of Probationer.*—(1) The Probation Officer shall assist the probationers rehabilitation in society, so that he does not revert to crime. For this purpose the Probation Officer shall endeavour to secure for the Probationer:—

- (a) training facilities,
- (b) employment opportunities,
- (c) any necessary financial aid, and
- (d) contacts and associations with normal individuals and congenial organisations like Boy Scouts and Girl Guides, Youth organisations and Community Projects.

(2) The Probation Officer shall try to maintain constant touch with discharged probationers to follow up the progress made by them towards their rehabilitation, for such period as may be prescribed by the Chief Probation Officer,

(3) The Probation Officer shall participate, wherever possible in after-care schemes and organisations.

21. *Other duties of Probation Officer.*—The Probation officer shall also undertake the following functions:—

(1) educating the public and mobilising support for the probation system;

(2) mobilising public assistance and co-operation in the field of Social Defence;

(3) being incharge of any institution or other premises referred to in rule 31 that may be assigned;

(4) any other duties of a cognate nature which may be assigned by order of the State Government.

22. *Probation Officer not to divulge information.*—A Probation Officer shall not divulge information concerning his inquiries or work of probation to any person other than the authorities to whom he is required to report, except in so far as it is necessary to do so in the interest of the probationer.

## V. RECOGNITION OF SOCIETY

23. *Recognition of Society.*—(1) A society primarily devoted to any of the following kinds of work for a period of not less than 7 years will be eligible for seeking recognition under clause (b) of sub-section (1) of Section 13 of the Act:—

- (a) Social defence, including care, after care or aid to offenders or discharged prisoners and protection and training of rescued or destitute women or children;
- (b) education or other social welfare work; and
- (c) religious or charitable work, with interest in aiding and rehabilitating such persons as are mentioned in clause (a).

(2) Any society eligible under sub-rule (1) and desiring recognition shall make an application to the State Government together



with a copy of its rules, bye-laws, articles of association, list of its members and office bearers and statement showing its status and past record of Social or public service.

(3) The State Government may, after making such inquiry as it considers necessary into the status, past record of Social or public service and present condition of the society, and satisfying itself that the Society possesses sufficient financial means and necessary experience to carry out its obligations, grant recognition to the society, on condition that it shall undertake to:—

- (a) provide such Probation Officers as may be required by the State Government or the Court;
- (b) abide by these rules and any instructions issued by the State Government and the Chief Controlling Authority and see that the same are followed by the Probation Officers and the personnel of any institution or other premises referred to in rule 31 under it; and
- (c) furnish to the State Government, wherever required a statement of its financial position including the balance sheet and audited report, if any.

(4) The State Government may withdraw the recognition granted to a society under sub-rule (1) after giving a notice of three months to the Society. The recognised society may also get its recognition withdrawn by the State Government after giving to it a notice of three months.

24. *Subsidy to Society.*—(1) A recognised society requiring a subsidy from the State Government in aid of its activities relating to Probation shall forwarded to the Chief Controlling Authority through the Chief Probation officer an application accompanied by a copy of:—

- (a) its rules regarding salaries, allowances and conditions of service of Probation Officer and its rules regarding the management of institutions or other premises referred to in rule 31, if any, under it; and
- (b) such other particulars as may be required.

(2) The State Government may in deserving cases and on the recommendation of the Chief Controlling Authority pay to a recognised society such subsidy and for so long as it may deem fit.

(3) The society which has been granted a subsidy shall:—

- (i) submit its annual report and audited accounts and such other reports as may be called for by the Chief Controlling Authority;
- (ii) maintain standards of supervision work and manage institutions or other premises referred to in rule 31, if any, under it to the satisfaction of the Chief Controlling Authority; and

(iii) provide all facilities for inspection by the officers concerned.

25. *Control of Probation Officers.*—(1) (a) If a Probation Officer appointed by a Society fails to observe the duties imposed on him by the Act or these rules or to abide by other orders of the Chief Probation Officer or the Chief Controlling Authority or the State Government for regulation of the work and conduct of Probation Officers, the Court or the District Magistrate or the District Probation Officers may report the fact to the Society; and thereupon the Society shall take suitable action on that report, and inform the District Probation Officer of the action taken.

(b) The Society shall consider every complaint against such Probation Officer relating to any matter which affects his fitness for office and shall investigate every such complaint which in its opinion calls for investigation; and take further disciplinary action, wherever necessary.

(2) The work of Probation Officers provided by the Society will be subject to guidance, supervision and control by the Chief Controlling Authority or any officer empowered by the State Government to act on his behalf.

## VI. PROCEDURE FOR COURTS AND DISTRICT MAGISTRATES.

### *A—Court Procedure.*

26. (1) The court may direct a Probation Officer (as nearly as may be in Form II) to enquire into the character and antecedents of the accused, the circumstances in which the offence was committed and other matters and submit a report on a prescribed date, which should ordinarily be the expected date of delivering judgment. The court shall consult the report only after finding the accused guilty. If he is not found guilty, the report should be returned to the Probation Officer concerned for record for purpose of future reference.

(2) The court may direct the Probation Officer to make any further investigations, and, where required, to have medical or psychiatric examination of the offender, and report to the court for enabling it to decide action to be taken under sections 3, 4, 5, 6 and 7 of the Act.

27. The following forms may be used for the purposes noted against each:—

(a) Form IV—Bond for good behaviour under section 4 (1) of the Act.

(b) Form V—Supervision order under section 4 (3) of the Act.

(c) Form VI—Undertaking by probationer under section 4 (4) of the Act.

28. The court may require a Probation Officer to submit a report on a stipulated date or periodical reports on the progress, conduct and mode of living of the probationer placed under his supervision for purposes of sections 8 and 9 of the Act.

29. Where a court passes a supervision order under sub-section (3) of section 4 and appoints a Probation Officer provided by a society, it shall forward a copy of it to the Society.

### *B—Functions of District Magistrate.*

30. The District Magistrate or any other officer not below the rank of Sub-Divisional Magistrate duly authorised by him may—

(a) inspect the work and any record in the office of any Probation Officer working within his jurisdiction;

(b) give any directions to Probation Officers that he considers to be immediately required for the due performance of their work relating to supervision; and

(c) send his observations or report on the foregoing or other facts to the District Probation Officer and the Chief Probation Officer.

## VII. RESIDENCE OF PROBATIONERS

31. *Institutions or other premises for reception of Probationers.*—(1) The State Government may maintain, or approve subject to such conditions, (including conditions relating to management and inspection) as it may deem fit to impose, any institution or other premises for the reception of probationers who may be required to reside therein by a supervision order.

(2) Any such institution or other premises shall be maintained, managed and inspected in accordance with such instruction as may be issued by the State Government from time to time.

32. *Residence of Probationer in such institutions or other premises.*—(1) When a Probation Officer is of opinion that it is necessary or desirable for a probationer to reside in any institution or other premises referred to in rule 31 on the ground that the probationer has no fixed abode or no abode suitable for due the supervision, or that his home surroundings are not suitable for achieving the objects of probation, or that the objects of probation would be better served by his staying in such institution or premises, the probationer may be asked to reside therein.

(2) A Probationer may also be required to reside in any such institution or premises in pursuance of any order of the court which passed the supervision order, or in terms of the bond entered into by the probationer.

33. *Change of residence.*—(1) Where a probationer under supervision, consistent with the conditions of the supervision order changes or proposes to change his place of residence and the place

of such residence is outside the jurisdiction of the Probation Officer, he shall obtain the permission of—

- (a) the Probation Officer, if the period of such stay does not exceed a fortnight;
- (b) the District Magistrate on the recommendation of the Probation Officer, if such period exceeds a fortnight but does not exceed three months; or
- (c) the court on application made through the Probation Officer, if such period exceeds three months.

(2) Where the period of stay referred to in sub-rule (1) exceeds a fortnight, the probationer shall be required to report to a Probation Officer having jurisdiction in the changed place of residence on or before a specified date.

(3) The Probation Officer in the changed place or residence shall send to the original Probation Officer a report of the arrival of the probationer and send copies of the report and such other reports as may be required by the Chief Probation Officer to the District Magistrate or District Magistrates concerned and to the Chief Probation Officer.

(4) Where the period of stay referred to in sub-rule (1) exceeds one month, a new Probation Officer may be appointed under section 13 (2) of the Act by the District Magistrate having jurisdiction over the changed place of residence or by the court.

### VIII. RECORDS.

34. *Records to be maintained by Probation Officer.*—(1) A Probation Officer shall maintain the following records—

- (a) A diary showing his day to day work, including preliminary enquiries, attendance at Courts, meetings with probationers, contacts with societies and visits to institutions and premises referred to in rule 31, a copy of the diary being submitted every week to the District Probation Officer;
- (b) a file containing copies of all reports of preliminary enquiries submitted to the courts;
- (c) a register showing the receipt and disposal of all orders of the courts to the Probation Officer for making enquiries;
- (d) Probationer's case file as in Form VIII containing—
  - (i) a front cover page indicating the main particulars of the Probationer and case;
  - (ii) a summary of the Probationer's antecedents, character, his family and other environment and the circumstances of the offence, further progress of supervision and all other important events during the period of probation; and

- (iii) copies of pre-sentence report, orders of court, bonds or undertakings and all other records relating to him including a history sheet;
- (e) an Index Card, and Chronological Register (as nearly as may be in Form IX) of probationer;
- (f) Register of payments made on account of probationer showing—
  - (i) Payments to institutions or premises referred to in rule 31 for maintenance of probationers;
  - (ii) payments to probationers for travelling expenses to such institutions or premises and backs;
  - (iii) fares for reporting to a Probation Officer;
  - (iv) other financial aid to probationers; and
- (g) Such other records as may be prescribed by the Chief Probation Officer or the Chief Controlling Authority from time to time.

(2) In the case of part-time Probation Officers the records mentioned in clauses (b), (c), (e) and (f) of sub-rule (1) shall be kept in the office of the District Probation Officer.

(3) A Special Probation Officer shall maintain the record mentioned in clauses (a) and (b) of sub-rule (1) and send such other information to the District Probation Officer, the Chief Probation and the Chief Controlling Authority as prescribed by the State Government from time to time.

35. *Preservation of records.*—(1) Each probationer's case file with the Probation Officer shall be preserved for not less than ten years from the date of the expiry of the supervision order to which it relates.

(2) The diary shall be closed on the 31st December of each year and thereafter be deposited as a confidential record in the office of the Chief Probation Officer. Each volume of the diary shall be preserved for not less than ten years from the date of its closure.

(3) The Index card and the chronological register should be preserved for at least ten years more after the destruction of the history sheets to which they relate.

36. *Inspection Book.*—An Inspection book shall be maintained at each Probation Officer's Office and a copy of the Inspection book relating to a part-time Probation Officer shall be maintained in the District Probation Officer's office. The Chief Controlling Authority, Chief Probation Officer, District Magistrate, District Probation Officer and such other persons as may be appointed by the Chief Controlling Authority for inspecting the work of Probation Officers shall record their observations in the book. The observation made therein shall be forwarded to the Chief Probation Officer along with the comments of the Probation Officer.

37. *Records to be maintained by District Probation Officers.*—The District Probation Officers shall maintain in his Office in such manner as may be prescribed by the Chief Controlling Authority:—

(1) lists of Probation Officers in the District or area under his jurisdiction;

(2) lists of institutions or premises referred to in rule 31, in that area;

(3) a dossier for each probationer under supervision in the district, containing a summary of the case and duplicates of important documents in the case record with the Probation Officer;

(4) register of probationers in the district (as nearly as may be in Form VII) received from Probation Officers;

(5) an inspection file containing notes of inspection of offices of Probation Officers and copies of reports of inspection submitted to the Chief Probation Officer;

(6) register of probationers staying in institutions or premises referred to in rule 31, in the District;

(7) register of payments to probationer in the District;

(8) register of payments to societies in the District; and

(9) such other records as may be directed to be maintained by the Chief Controlling Authority.

## IX. MISCELLANEOUS

38. *Probationers not to be employed on private work of Probation Officer.*—A Probation Officer shall not employ any offender placed under his supervision for his own private purpose or take any private service from him.

39. *Submission of statistics*—Every Probation Officer shall collect and submit in January and July the following statistics for the preceding half year to the District Probation Officer concerned, who in turn, will consolidate these statistics for the Probation District and submit the same to the Chief Probation Officer:—

(1) the number of probationers;

(2) employment of probationers;

(3) the number of cases of variation of orders under section 8 of the Act and of failure to observe conditions of bond dealt with under section 9 of the Act;

(4) the number of offenders in his jurisdiction:—

(a) discharged after admonition under section 3 of the Act;

(b) released under section 4 (1) of the Act without supervision;

(c) sentenced to imprisonment though under 21 years of age.

The statistics mentioned above should be shown separately according to sex; age (over 21, between 21 and 16, below 16); nature

of offender (i.e. first offender, second offender, habitual offender); and gravity of crime:

Provided that in the case of part-time Probation Officer the statistics mentioned in this rule shall be collected and maintained by the District Probation Officer.

### FORM I

( See Rule 14 (2) (a) )

*Front Cover.*

#### GOVERNMENT OF RAJASTHAN PROBATION DEPARTMENT IDENTITY CARD

*Back Cover.*

1. This Card is meant for establishing the identity of the holder as a District Probation Officer/Salaried Probation Officer Associate Probation Officer.

2. The holder shall keep the card in the personal custody and shall be responsible for the safe custody thereof. Any loss or subsequent recovery of this Card must be immediately reported to the Chief Controlling Authority.

3 This card shall be returned to the Chief Controlling Authority when the holder is placed under suspension or ceases to hold office.

4. Holder of the card will be liable for disciplinary action if the card is misused in any way.

*Inside.*

Serial No. ....

F

Name in full (in Block letters)

O

Designation of post held (in Block-letters)

L

Photograph of Holder.

Full signature of the holder

D

Date

H

Signature

E

Chief Probation Officer

R

Date

E

### FORM II

[ See Rule 26 (1) ]

*Order under sub-section (2) of section 4 of the Probation of Offenders Act, 1958.*

Probation Officer..... Whereas a report under sub-section (2) of section (4) of the Probation of Offenders Act, 1958 (Act 20 of 1958, or under the provision of ..... is required for dealing with (name).....

..... S/o D/o..... .... of (full address).....  
 ..... who has been brought before the court under section  
 ..... in case No..... ..... you are hereby directed  
 to collect or arrange to collect the necessary information after  
 making an enquiry and place the same before this court on.....

*Seal of the Court*

*Magistrate in Court of Session*

### FORM III

[ See Rule 16 (1) ]

## REPORT ON PRELIMINARY ENQUIRIES

*Under the Probation of Offenders Act, 1958.*

S. No.

In the Court of the..... Magistrate.....

..... (Place) ..... (District)..... C.C. No.

..... 19..... Date of hearing.

\*Offence

State..... (Police Station) ..... Crime No...../19

Name of Offender\*\*

Address (Place of residence)

Age.

Sex and religion.

\*Give section and brief description.

\*\*In Block letters.

### *Personal History*

Behavior and habits (moral, recreational etc.) Temperament  
 (outstanding character and Personality traits) Physical and Mental  
 history and present condition leisure time activities.

### *External Influences.*

School record and report of teachers, if available.

Employment history.

Present occupation and wages (give also conditions of labour,  
 leisure, etc.)

Report of employer, if any.

Associates.

Contact with social and religious organisation, if any.

Home conditions.

Family history of:—

(a) Father

(b) Mother

(c) Step father

(d) Step mother

(e) Brothers

(f) Sisters



(g) Wife

(h) Children

(i) Other interested relations, if any

Economic condition of the family

Any social agencies institution or individual interested in the family.

Report of parents and relations.

Attitude of family towards offender and extent of its influence on him/her

Report of neighbours.

Home surroundings and general out look.

Is poverty or unsettled life the cause of offence ?

*Legal History*

Previous Institutional record, if any.

Statement of the present offence and circumstances in which it was committed.

Offenders own reaction to the offence and his attitude towards possible punishments.

Any special information required by Court.

*Summary.*

(a) Factual background of offender and his environment and offence,

(b) Diagnosis (offender's attitudes, defects in character or family, motivations and other factors regarded as causal factors for the offence).

(c) Prognosis (Treatment considered most suitable and estimates of chances of improvement).

(d) Recommendation (if asked for by Court).

Name and address of the Probation Officer.

State

Date

Nature of disposal of the case

*Probation Officer.*

Date of disposal.

## FORM IV

[ See Rule 27 (a) ]

## BOND TO KEEP THE PEACE AND TO BE OF GOOD BEHAVIOUR

(Under sub-section (1) of section 4 of the Probation of Offenders Act, 1958)

In the Court of the

*Magistrate.*

Case No.

of 19

Whereas I.....inhabitant of.....have been ordered to be released by the Court of.....on

condition of my entering into a bond to appear and receive sentence when called upon during a period of .....

I hereby bind myself.

- (1) to appear and receive sentence when called upon to do so;
- (2) not to commit a breach of the peace or do any act that may occasion a breach of the peace; and
- (3) to be of good behaviour to Government and all the citizens of India..... during the said period. In case of any making default therein, I hereby bind myself to forfeit to Government the sum of Rs ..... date this ..... day.

Executed before me.

Signature  
Magistrate.

I/We do hereby declare/myself/ourselves surety/sureties for the/to the above named:—

1. to appear and receive sentence when called upon to do so;
2. that he will not commit a breach of the peace or do any act that may occasion a breach of the peace; and
3. that he will be of good behaviour to Government and all the citizens of India ..... during the said period.

In case of his making default therein, I/We bind myself/ourselves jointly and severally to forfeit to Government a sum of Rs ..

Date this ..... day

19 .

Signature,

Executed before me

Signature,  
Magistrate.

## FORM V

[ See Rule 27 (b) ]

### SUPERVISION ORDER

(Under sub-section (3) of section 4 of the Probation of Offenders Act, 1958).

In the Court of the .....

Case No..... of 19.....

Whereas..... has this day been found guilty of an offence under section.

And the Court is satisfied that it is expedient to deal with the said person by making an order placing him under supervision;

It is hereby ordered that the said person be placed under supervision of..... a Probation Officer, for a period of..... subject to the following conditions, namely:—

- (1) That he will present himself, within fourteen days from the date of this order, before the Probation Officer named herein.

and will produce copies of the order and the bond executed by him;

(2) That he will submit himself to the supervision of the Probation Officer or any Officer appointed in his place;

(3) That he will (a) during the period specified herein, keep the Probation Officer advised of his place of residence and means of livelihood (b) reside at.....for a period of;

(4) That he will not quit the district jurisdiction of..... without the written permission of the competent authority;

(5) That he will not associate with bad character to lead a dissolute life;

(6) That he will live honestly and peaceably and will endeavour to earn an honest livelihood;

(7) That he will not commit any offence punishable by any law in force in India;

(8) That he will abstain from taking intoxicants;

(9) That he will carry out such directions as may, from time to time be given by the Probation Officer for the due observance of the conditions mentioned above dated this .. .... day of .. .... 19

*Judge or Magistrate.*

## FORM VI

[See rule 27 (c) ]

*(Under sub-section (4) of section 4 of the Probation of Offenders Act, 1958)*

In the Court of the.....Magistrate ... ..  
Case No .....of 19 ..

Whereas I .....inhabitant of.....have been ordered to be released by the Court of .....on condition of my entering into a bond to observe the conditions specified in the supervision order made by the Court, I hereby bind myself as follows:—

(1) That I will accept and fulfil the conditions specified by the Court in such order for the period specified therein;

(2) That I will present myself, within fourteen days from the date of the supervision order, before the Probation Officer named in the order and will produce copies of the order and bond executed by me;

(3) That I will submit myself to the supervision of the Probation Officer named in the supervision order or of any other officer appointed in his place;

(4) That I will (a) during the period specified in the order, keep the Probation Officer advised of my place of residence and means of livelihood, (b) reside at.....for a period of.....

(5) That I will not quit the said district/jurisdiction of.....  
 ..... without the written permission of the competent authority;

(6) That I will not associate with bad characters or lead a  
 dissolute life;

(7) That I will live honestly and peaceably and will endeavour  
 to earn an honest livelihood;

(8) That I will not commit any offence punishable by any  
 law in force in India;

(9) That I will abstain from taking intoxicants;

(10) That I will carry out such directions, as may from time  
 to time be given by the Probation Officer, for the due observance  
 of the conditions mentioned above.

In case of my making default therein, I hereby bind myself  
 to forfeit to Government the sum of rupees.....

Dated this..... day of .....19 .

Executed before me

Signature,  
 Magistrate.

I/We do hereby declare myself/ourselves surety/sureties for  
 the abovenamed that he will observe the conditions specified in the  
 supervision order and in the bond and in case his making default  
 therein I/We bind myself/ourselves jointly and severally to forfeit  
 to Government the sum of Rupees .. ....

Dated this..... day of .....19 .

Signature

Executed before me

Signature of Magistrate.

## FORM VII

[See rule 15 (3) (a) 19 (2) ]

### MONTHLY REPORT ON PROGRESS OF PROBATIONER

#### PART I

Probation Office.... for the month....  
 Register No ... Court ..  
 Probationer's name..... Case No.....date of  
 supervision order.....  
 Probationer's address.... period of Probation....

#### PART II

Place of Interview

Dates

1. Where the Probationer is residing.
2. Progress made in any Educational/Training course.
3. What work he is doing and his monthly average earning.
4. Savings kept in the Post Office Savings Bank Account in  
 his name.

5. Probationer's health.
6. Remarks on his general conduct and progress.

### PART III

7. Any proceedings before Court/District Magistrate for—
  - (a) Variation of conditions of bond under section 8 (1) or 9 (1) of the Act.  
OR
  - (b) Change of residence, vide rule.  
OR
  - (c) Discharge under section 8 (3) of the Act.  
OR
  - (d) Other matter
8. Probation period completed on .... (date).
9. Result of probation, with remarks (if any).
10. Occupation and address after discharge.

To,

District Probation Officer/Court  
Copy to Chief Probation Officer.

Probation Officer  
Date of report  
Address.

### FORM VIII

[See rule 34 (1) (d) ]

### PROBATIONER'S CASE FILE

#### A. (Front/Cover Page)

Probation Office....	....	....Court.....	....
Office Regn. No. ..	....	Case No.....	....
Name of Probationer		Date of Supervision orders.	
Address		Offence (Section)	
Occupation			
Home Address			
Mother tongue			
Sex	Age		
Date, time and place of arrest			
Facts of the case (in brief).			
Previous conviction (s).			
Referred for enquiry on			
Enquired by			
Enquiry report submitted on			
Monthly Progress Report			
Submitted on		1st year	2nd year 3rd year.
Final disposal and date			

#### B. Summary.

1. Brief family history and home conditions.
2. School record and employment history.

3. Delinquencies.
4. Health.
5. Mental condition.
6. Neighbourhood conditions.
7. Any other outstanding feature and additional information.
8. Chronological development of the case.
9. Suggestions made by the Probation Officer.
10. Final order (with date) of the Court.
11. Name and address of the surety/sureties while under supervision.
12. (a) Restriction as to residence in any area, probation home or otherwise (b) other restrictions.
13. Salient point in Progress Report.
14. Amendment to order, if any, under section 8 and 9 of the Act.
15. Final Disposal.

Probation Officer.

*C. Other contents of dossier.*

1. Pre-sentence report.
2. Order of the Court.
3. Copy of bond/undertaking executed, if any.
4. Correspondence.
5. Monthly Report.

Probation Officer.

Chronological Register of Probationers.

FORM IX

[ See rule 38 (1) (c) ]

S.No.	Name of probationer, father's name and address	Sex, age, religion, indentification marks etc.	Offence (give section and brief description of the Offence)	Court Passing the Supervision order and case No.
1	2	3	4	5
Date of supervision order and period of Supervision.	Name of Probation Officer.	Pre-sentence report submitted or not (if submitted give P.R. No. and date).	Whether the probationer is residing in an institution or other premises or reception of the probationers; and if so, give its name and address.	Name and address of sureties, if any.
6	7	8	9	10

Occupation, if any, and wages, name and address of employer, if any.	Any variation in original supervision order and the date of such variation.	No. of visits paid.	Name of visits received	No. of (progress) reports submitted.	Result of probation and remarks of probation officer, if any.
11	12	13	14	15	16

#### SUBSEQUENT HISTORY AFTER COMPLETION OF PROBATION

First Year.	Second Year.	Third Year.	Fourth Year.	Fifth Year.
a.	b.	c.	d.	e.

By Order of the Governor.

D. GOSWAMI,

Deputy Secretary, Social Welfare Department.

# RAJ. PROBATION OF OFFENDERS RULES, 1962

## CORRIGENDUM

Jaipur, December 8, 1962.

*Subject:*—The Rajasthan Probation of Offenders Rules, 1962.

*No F. 12 (13) SW/61.*—Reference this Department Notification of even number dated 1st October, 1962 published in the Rajasthan Rajpatra dated 25-10-62, Part IV-(C) on the above subject.

(i) Rule 2(i):—The brackets before and after the figure 13 appearing in line 2 of the rule shall be deleted.

(ii) Rule 8 (a):—Substitute “;” in place of (:) at the end of the rule.

(iii) Rule 9(a):—The capital ‘S’ of the word “Salaried” shall be substituted by ‘s’ in line 2 of the rule.

(iv) Rule 14 (b):—The word “rule” shall be substituted for the word “rules” appearing in the last line of the rule.

(v) Rule 16(i):—The word “facts” occurring at the end of sixth line of the rule shall be substituted by the word “fact”

(iv) Rule 16 (2):—Apostrophe “’” shall be inserted after the word “Probation Officers” appearing in second line of the rule.

(vii) Rule 17(c):—The word “the” shall be added before the word “officer” appearing in 2nd line of the rule.

(viii) Rule 17 (4):—The words “direct” in line four of the rule shall be substituted by the word “directs”.

(ix) Rule 24:—The word “get” shall be inserted between the words “shall” and “forwarded”, occurring in line three of the rule.

(x) Rule 32:—The word “the” occurring between the words “above” and “supervision” in line sixth of the rule shall be deleted.

(xi) Rule 34 (i):—The word “the” shall be inserted between the words “and” and “case” appearing at the end of the rule.



(xii) Rule 34 (f) (ii):—The word “backs” appearing at the end of the 2nd line shall be replaced by the word “back”.

(xiii) Rule 34 (3):—The word “b” appearing within brackets in 2nd line of the rule shall be substituted by the word (d) and the word “officer” shall be inserted after the words “chief Probation” appearing in forth line of the rule.

### FORMS

(i) Form IV item 3:—The word “odd” shall be substituted by the word “of good” in the form and the word “any” occurring in line three shall be deleted and the same be inserted between the words “making” and “default” in the same line.

D. GOSWAMI,  
Deputy Secretary to Government,

## *Notifications under*

### **RAJASTHAN PROBATION OF OFFENDERS RULES, 1962**

Notification No. F. 12 (13)/SW/61.—In exercise of the powers conferred by clause (f) of rule 2 of the Rajasthan Probation of Offenders Rules, 1962, first published in Rajasthan Rajpatra, Part-IV (d), dated the 25th October, 1962 the State Government hereby specifies the following districts as "Probation Districts":—

S. No.	Probation Districts
1.	Jaipur
2.	Bikaner
3.	Ajmer
4.	Udaipur
5.	Kota
6.	Jodhpur
7.	Alwar
8.	Sawai Madhopur
9.	Bharatpur
10.	Sikar
11.	Ganganagar
12.	Bhilwara
13.	Pali

(Rajasthan Gazette, Part IV (Ga) —dated 19-9-63 —Page 314.)

### **SOCIAL WELFARE DEPARTMENT**

Jaipur June 15, 1966

Notification No. F. 15 (3) SW/66 —In exercise of the powers conferred by clause (2) of Rule 3 of the Rajasthan Probation of Offenders Rules, 1962, first published in the Rajasthan Rajpatra, dated the 25th October, 1962, Part IV-C, the State Government hereby designate the following Probation Officers as District Probation Officers :—

- 1, Shri M. K. Ahuja
2. Shri Pyare Lal Purohit.
3. Shri Sohan Lal Davera.
4. Shr Jagdish Prasad.
5. Shri Sudhir Kumar Sharma.
6. Shri Vimal Chand Jain.
7. Shri Loki Ram Sharma.
8. Shri Roshan Lal Agarwal.
9. Shri Narain Singh.

10. Shri Vimal Kumar Agarwal.
11. Shri Banwari Lal.
12. Shri Kedar Nath.
13. Shri Mangal Sen Gupta.
14. Shri Laxman Goswami.
15. Shri Triloki Nath Joshi.
16. Shri Surendra Nath Dalela.
17. Shri Narain Bandhu.
18. Shri Govind Singh.

[Pub. in Raj. Gaz. 4 [Gal Df. 14-7-66 Page 232]

*Notifications under*

**Probation of Offenders Act, 1958**

*Published in Raj. Raj-patra part IV (c) dated December 28, 1961 at page 261*

Social Welfare Department

**NOTIFICATION**

*Jaipur, December 22, 1961.*

No. F. 12 (13) SW/61.—In exercise of the powers conferred by sub-section (3) of section 1 of the Probation of Offenders Act, 1958 ( Central Act 20 of 1958 ), the State Government hereby appoints the 1st day of January, 1962 as the date on which the said Act shall come into force in the whole of the State of Rajasthan.

By Order of the Governor

D. GOSWAMI

Deputy Secretary to the Government

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*Rules and Notifications under*

PROVIDENT FUND ACT, 1925.  
( CENTRAL ACT No. 19 OF 1925 ).

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*Rules and Notifications under*

PROVINCIAL INSOLVENCY ACT, 1920.  
( CENTRAL ACT No. 5 OF 1920 ).

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## **RULES UNDER Provincial Insolvency Act, 1920.**

The High Court of Judicature for Rajasthan has framed rules in exercise of the powers Conferred under section—of the Provincial Insolvency Act, 1920. Those rules have been incorporated by the High Court in the rules, namely High Court (General) Rules, 1952 framed by it under Act,—of Constitution of India.

*Notifications under*

**PROVINCIAL INSOLVENCY ACT, 1920.**

*Published in Raj. Raj-patra Vol. 2 part I at page 775.*

Jaipur, January 9, 1951.

*No. F. 1 (135) Jud./50.*—In exercise of the powers conferred by section 3 (1) of the Provincial Insolvency Act, 1920, as adapted to Rajasthan, the Government of Rajasthan is pleased to invest all the Civil and Additional Sessions Judges in Rajasthan, in virtue of their office, with the power to try cases under the said Act within their respective territorial jurisdiction.

By Order of  
His Highness the Rajpramukh,  
PRABHU DAYAL LOIWAL,  
Secretary to the  
Government of Rajasthan,  
Judicial Department.



*Notifications under*

**Provincial Insolvency Act, 1920.**

*Published in Raj. Rai-patra part I (a) at page 7*

Jaipur, May 23, 1960.

No. D. 167/F. 1 (8) LJ/B/60.—In exercise of the powers conferred by the proviso to sub-section (1) of Section 3 of the Provincial Insolvency Act, 1920 (No. 5 of 1920) as adopted by the Rajasthan Adaptation of Central Laws Ordinance, 1950 (Rajasthan Ordinance No. 4 of 1950) the State Government hereby invests the Civil Judge, Merta, with the jurisdiction concurrent with the District Court under the said Act in the following cases namely:—

S. No.	No. & Year of the Case	Title of Case
1.	20/58	Bankatlal Vs. Nanoo
2.	21/58	Noratanmal Vs. Ladu
3.	23/58	Bhola Ram Vs. Geesa
4.	24/58	Ram Jeewan Vs. Janwarilal
5.	25/58	Chat Mal Vs Laxminarain
6.	27/58	Rameshwar Vs. Bala Bux
7.	26/58	Bareo Lal Vs. Gheesa
8.	29/58	Nathoo Vs. Ganpat Singh
9.	30/58	Mool Chand Vs. Ganpatsingh
10.	31/58	Prabh Dasa Vs. Jeewan Dan
11.	33/58	Vijay Raj Vs. Satan
12.	35/58	Manak Chand Vs. Bheera
13.	36/58	Suraj Karan Vs. Ram Dayal
14.	39/58	Janwarilal Vs. Manohar Chand

*Published in Raj. Raj-patra part I (a) at page 7*

English Translation

(Authorised By the Governor)

Law and Judicial Department (B)

NOTIFICATION.

Jaipur, June 9, 1960.

No. D. 1322/F. 1 (85) LJ/B/60.—In exercise of the powers conferred by the proviso to sub-section (1) of section 3 of the Pro-

vincial Insolvency Act, 1920 (No. 5 of 1920) as adopted by the Rajasthan Adaptation of Central Laws Ordinance, 1950 (Rajasthan Ordinance No. 4 of 1950), the State Government hereby invests the Civil Judge, Ajmer with the jurisdiction concurrent with the District Court under the said Act.

By Order,

DEEWAN CHAND SHARMA,

Secretary to the Government.

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*Rules and Notifications under*

PROVISIONAL COLLECTION OF TAXES ACT, 1958.  
( RAJ. ACT No. 23 OF 1958 ).

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*Notifications under*

**Rajasthan Provisional Collection of Taxes Act, 1958**

*Published in Raj. Raj-patra part IV (c) dated March 26, 1962 at pages 336.*

*Jaipur, March 26, 1962.*

*No. F. 9 (2) E&T/62/I.*—In pursuance of sub-clause 3 of clause 3 of the Rajasthan Electricity (Duty) Bill, 1962, read with the declaration inserted therein under section 3 of the Rajasthan Provisional Collection of Taxes Act 1958 (Rajasthan Act 23 of 1958), the State Government being of the opinion that it is expedient in public interest to do so hereby exempts from tax the energy consumed—

- (1) by a consumer in any industry in the manufacture, production, processing or repair of goods, and
- (2) by or in respect of any mine as defined in the Indian Mines Act 1923 (Central Act of 1923);

subject, however, to the condition that the exemption hereby granted shall not be applicable to energy consumed in respect of any premises used for commercial or residential purposes.

*Jaipur, March 26, 1962.*

*No. F. 9 (2) E&T/66/II.*—In pursuance of clause 3 of the Rajasthan Electricity (Duty) Bill, 1962, read with the declaration inserted therein under the Rajasthan Provisional Collection of Taxes Act 1958 (Rajasthan Act 23 of 1958), the State Government hereby fixes 3 nP. per unit as the rate at which the electricity duty shall be computed.

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*Rules and Notifications under*

PUBLIC DEBT ACT, 1944.  
( CENTRAL ACT No. 18 OF 1944 ).

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*Notifications under*

**PUBLIC DEBT ACT, 1944.**

*Published in Raj. Raj-patra Dated April 4, 1957 part I (b) at page 18.*

Finance Department (W. M.)

**NOTIFICATION**

Jaipur, March 30, 1957.

*No. F. 15 (24) W. M /53.*—In pursuance of sub-section 1 of section 5 of the Public Debt Act 1944 (XVIII of 1944), as amended from time to time, the Governor of Rajasthan is pleased to declare that the said sub section in so far as it relates to loans floated by the State Government, shall apply to the following Public offices namely—

1. Accountants General of all the States.
2. Finance Secretaries of all the States.
3. Secretaries of Rajasthan States.
4. Commissioners in Rajasthan State.
5. District Magistrates & Collectors, Rajasthan State.
6. District Judges, Rajasthan State.
7. Treasury Officers,
8. Chairman Board of Revenue, Rajasthan.
9. Chief Conservator of Forests, Rajasthan.
10. Chief Engineer, P.W.D. (Elec. & Mech. Branch) Rajasthan.
11. Chief Engineer, (Buildings & Roads), Rajasthan.
12. Chief Engineer, (Irrigation Branch), Rajasthan.
13. Commissioner, Excise & Taxation Department, Rajasthan.
14. Director of Education, Rajasthan.
15. Commissioner for Industries, Rajasthan.
16. Director of Medical & Health Services, Rajasthan.
17. Director of Relief & Rehabilitation.
18. Director of Mines & Geology, Rajasthan.
19. Director of Agriculture and Food Commissioner Rajasthan.
20. Director of Consolidation, Rajasthan.
21. Inspector General of Police Rajasthan.
22. Inspector General of Prisons, Rajasthan.
23. Jagir Commissioner, Rajasthan.
24. Labour Commissioner, Rajasthan.
25. Judge Member Industrial Tribunal Rajasthan.
26. Registrar, Cooperative Societies, Rajasthan.
27. Settlement Commissioner and Commissioner for Khud-  
kast lands, Rajasthan.
28. Director of Transport, Rajasthan.
29. Director of Printing and Stationery, Rajasthan.

30. Director, Archaeology Museums, Rajasthan.
31. Director of Local Bodies, Rajasthan.
32. Commissioner, Devasthan, Department Rajasthan.
33. Chief Panchayat Officer, Rajasthan.
34. Director of Enonomics & Statistics, Rajasthan.
35. Director of Ayurveda, Rajasthan
36. Director of Public Relations, Rajasthan.
37. Director of Insurance Department, Rajasthan.
38. Director of Social Welfare Department, Rajasthan.
39. Secretary, Public Service Commission, Rajasthan.
40. Registrar, High Court, Rajasthan.
41. Secretary to the Governor of Rajasthan.

By Order,  
G. S. PUROHIT,  
Secretary to the Government.

*Notifications under*

**PUBLIC DEBT ACT, 1944.**

*Published in Raj. Raj-patra part IV (c) at page 265*

**NOTIFICATION**

*Jaipur, May 2, 1960.*

No. F. 15 (24) W. M./53—In pursuance of Sub-section (1) of Section 5 of the Public Debt Act, 1944 (XVIII of 1944) as amended from time to time, and in continuation of this Department Notification No. F. 15 (24) W. M/53, dated the 30th March, 1957 the Governor of Rajasthan is pleased to declare that the said sub section in so far as it relates to loans floated by the State Government shall apply to the following public offices also:—

1. Director (Co-ordination and Statistics), Directorate General of Supplies and Disposals, New Delhi
2. Director of Supplies and Disposals, Bombay.
3. Director of Supplies (Textiles), Bombay.
4. Director of Supplies and Disposals, Calcutta.
5. Director of Supplies & Disposals, Madras.



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*Rules and Notifications under*

**PUBLIC DEMAND RECOVERY ACT, 1951.**

**( RAJ. ACT No. 15 OF 1951 )**

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## RAJASTHAN

# PUBLIC DEMANDS RECOVERY RULES, 1953

Jaipur, February 19, 1953.

No. F. 7 (174) WM/52.—In exercise of the power conferred by section 29 of the Rajasthan Public Demands Recovery Act, 1952 (No. V of 1952), the Government of Rajasthan is pleased to make the following rules:—

### Preliminary.

1. *Short title, extent and commencement.*—(1) These rules may be called the Rajasthan Public Demands Recovery Rules, 1953.

(2) They extend to the whole of Rajasthan.

(3) They shall come into force on the date of their first publication in the Rajasthan Gazette.

### Notes

Section 29 of the Rajasthan Public Demands Recovery Act, 1952 as amended by amendment Act No. XXII of 1952 stands as under:—The Government may, by Notification in the Rajasthan Gazette make rules, for the purpose of carrying into effect the provisions thereof.

(2) Such rules may, in particular, and without prejudice to the generality of the power conferred by sub-section (1), provide for all or any of the following matters, namely:—

(a) the signature and verification of requisitions made under section 3;

(b) the service of notices issued under section 6, the service of other notices or processes issued under this Act, and the manner in which service may be proved;

(c) the signing and verification of petitions, under section 8, denying liability;

(d) the forms to be used under this Act; and

(e) all matters which according to the provisions of this Act are to be prescribed.

These rules have been framed in exercise of the powers so conferred.

2. *Definitions.*—(1) In these Rules, unless the context requires otherwise—

(i) "Act" means the Rajasthan Public Demands Recovery Act, 1952;

(ii) "appendix" means the appendix appended to these Rules;

(iii) "form" means a form set forth in the appendix; and

(iv) "section" means a section of the Act.

(2) The General Clauses Act, 1897 of the Central Legislature shall apply to the interpretation of these Rules, as it applies to the interpretation of a Central Act.

### *Signature and Verification of requisitions.*

3. *Signature and verification of requisitions.*—(1) Every requisition made under section 3 shall be signed and verified at the foot by the person making it.

These rules have been first published in Rajasthan Raj-patra dated February 28, 1953 in part IV (b) at page 457.

(2) The verification shall state that the person signing the requisition has been satisfied by inquiry that the amount stated in the requisition is actually due.

(3) The verification shall be signed by the person making it, and shall state the date on which it is signed.

#### Notes

Section 3 of the Rajasthan Public Demands Recovery Act requires that,—(1) When any public demand is due, the officer or authority charged with its realisation may send to the Collector having jurisdiction in the place where the defaulter resides or owns property a written requisition in the prescribed form.

(2) Every such requisition shall be signed and verified in the prescribed manner.

This rule prescribes the form and the manner in which verification, as required under section 3, is to be made.

#### Service of Notices

#### Notes

Section 6 of the Act requires the Government to prescribe the manner in which the notices under the provisions of the Rajasthan Public Demands Recovery Act shall be served. The rules 4 to 11 contained under this heading provide for different modes, methods and forms for service of notices.

4. *Mode of service.*—Service of a notice issued under section 6, or under any other provision of this Act, shall be made by delivering or tendering a copy thereof, signed by the Collector and sealed with the seal of the Collector.

5. *Service on defaulter or his agent.*—Wherever it is practicable, service shall be made on the defaulter in person, unless he has an agent empowered to accept service, in which case service on such agent shall be sufficient.

6. *Service on adult male member of family.*—Where the defaulter cannot be found, and has no agent empowered to accept service of the notice on his behalf, service may be made on any adult male member of the family of the defaulter who is residing with him.

*Explanation.*—A servant is not a member of the family within the meaning of this rule.

7. *Person served to sign acknowledgement.*—Where the serving officer delivers or tenders a copy of the notice to the defaulter personally, or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgement of service endorsed on the original notice.

8. *Procedure where defaulter refuses to accept service or cannot be found.*—Where the defaulter or his agent, or such other person as aforesaid, refuses to sign the acknowledgement, or where the serving officer, after using all due and reasonable diligence, cannot find the defaulter, and there is no agent empowered to accept service of the notice on his behalf, nor any other person on whom service can be made, the serving officer shall—

(a) affix a copy of the notice on the outer door or some other conspicuous part of the house in which the defaulter ordinarily resides or carries on business or personally works for gain, or

(b) if there be land, affected by the notice, affix a copy of the notice on some conspicuous place in the office of the Collector and also on some conspicuous part of the land, and shall then return the original to the Collector by whom it was issued, with a report endorsed thereon or annexed thereto stating that he has so affixed the copy, the circumstances under which he did so, and the name and address of the person (if any) by whom the house or land was identified and in whose presence the copy was affixed.

9. *Endorsement of time and manner of service.*—The serving officer shall, in all cases in which the notice has been served under rule 7, endorse or annex, or cause to be endorsed or annexed, on or to the original notice a return stating the time when and the manner in which the notice was served, and the name and address of the person (if any) indentifying the person served and witnessing the delivery of tender of the notice.

10. *Examination of serving officer.*—Where a notice is returned under rule 8, the Collector shall, if the return under that rule has not been verified by the affidavit of the serving officer, and may, if it has been so verified, examine the serving officer on oath, or cause him to be so examined by another Collector or by an Assistant Collector, touching his proceedings and make such further inquiry in the matter as he thinks fit; and shall either declare that the notice has been duly served or order such service as he thinks fit.

11. *Service by post.*—Notwithstanding anything hereinbefore contained, the notice may, if the Collector so directs, be served by post.

#### *Petitions denying liability.*

12. *Signature and verification of petitions denying liability.*—

(1) Every petition filed under section 8 denying liability, shall be signed and verified at the foot by the defaulter or by some other person on his behalf who is proved to the satisfaction of the Collector to be acquainted with the facts of the case.

(2) The verification shall be signed by the person making it, and shall state the date on which it is signed.

#### *Notes*

Section 8 (1) of the Act requires the defaulter to present a petition denying liability. The rule prescribes the manner in which such petition shall be verified in accordance with the requirement of section 8 (1) of the Act.

#### *Supplemental.*

13. *Register of certificates.*—(1) Every Collector shall cause to be kept in his office a register of certificates filed in his office

under the Act, and shall cause particulars of all such certificates to be entered in such register.

(2) Such register shall be open during office hours, for not less than two hours daily, and at such time as may be fixed by the Collector, for inspection by any person who desires to inspect the same; and a fee of one rupee shall be chargeable for every such inspection.

*Note.*—The fee should be prepaid by Court fee stamp affixed to the application.

14 *Entry and remittance of sums received under a certificate.*—Where the whole or any portion of the amount due under a certificate has been realised, the Collector in whose office the certificate is originally filed shall cause—

(a) an entry of the fact to be made upon the certificate and in the register referred in rule 13, and

(b) the amount so realised to be remitted to the officer or authority sending the requisition under section 3.

15. *Forms.*—The forms set forth in the Appendix shall be used with such variations as circumstances may require.

#### Notes

The different sections of the Act require the Government to prescribe the forms necessary in the proceedings under the Act. Appendix to the Rules contains the forms for the following purposes:—

- (1) Requisition for a certificate under section 3 of the Act.
- (2) Certificate of Public Demands under section 4 of the Act.
- (3) Notice to defaulter under section 6 of the Act.
- (4) Petition denying liability under section 8 of the Act.
- (5) Notice to Legal Representative of the defaulter under section 19 of the Act.

#### APPENDIX FORMS

(See Rule 15)

FORM No. 1

*Requisition for a certificate.*

(See Section 3)

To the Collector of the district of

Name of defaulter.	Address of defaulter.	Amount of public demand for which this requisition is made.	Nature of the public demand for which this requisition is made.
1	2	3	4

I request you to recover the above-mentioned sum of Rs. \_\_\_\_\_ which I am satisfied, after inquiry, is due from the said \_\_\_\_\_ in respect of \_\_\_\_\_  
Verified by me on the \_\_\_\_\_ day of \_\_\_\_\_ 195

A. B.,  
Designation.

*Supplemental.*

13. *Registers of Certificates*—(1) Every Collector shall cause to be kept in his office a register of certificates filed in his office under the Act, and shall cause particulars of all such certificates to be entered in such register.

(2) Such register shall be open during office hours, for not less than two hours daily, and at such time as may be fixed by the Collector, for inspection by any person who desires to inspect the same; and a fee of one rupee shall be chargeable for every such inspection.

*Note* :—The fee should be prepaid by Court fee stamp affixed to the application.

14. *Entry and remittance of sums received under a certificate*.—Where the whole or any portion of the amount due under a certificate has been realised, the Collector in whose office the certificate is originally filed shall cause :—

(a) an entry of the fact to be made upon the certificate and in the register referred in rule 13, and

(b) the amount so realised to be remitted to the officer or authority sending the requisition under section 3.

15. *Forms* - The forms set forth in the Appendix shall be used with such variations as circumstances may require.

*Notes.*

The different section of the Act require the Government to prescribe the forms necessary in the proceeding under the Act, Appendix to the Rule contains the forms for the following purpose:—

(1) Requisition for certificate under section 3 of the Act.

(2) Certificate of Public Demands under section 4 of the Act.

(3) Notice to defaulter under section 6 of the Act.

(4) Petition denying liability under section 8 of the Act.

(5) Notice of Legal Representative of the defaulter under section 19 of the Act.

**APPENDIX****FORMS**

(See Rule 15) FORM No. 1

**Requisition for a Certificate.** (See Section 3)

To the Collector of the District of

Name of Defaulter	Address of Defaulter	Amount of public demand for which this requisition is made	Nature to the public demand for which this requisition is made.	Budget Head wherein recoveries shall be deposited.
1	2	3	4	5

I request you to recover the above-mentioned sum of Rs which I am satisfied, after inquiry, is due from the said in respect of Verified by me on the day of 195

A. B ,  
Designation.

**FORM No. 2**  
**Certificate of Public Demand**  
*( See Section 4 )*

Filled in the office of the Collector of (name of the district)

No. of Certificate	Name and address of authority sending requisition	Name and address of defaulter.	Amount of public demand including interest if any, for which this certificate is signed and period for which such demand is due and costs if any.	Further particulars of the public demand for which this certificate is signed
1	2	3	4	5

I hereby certify that the above mentioned sum of Rs..... is due from the above-named.

I further certify that the above-mentioned sum of Rs ..... is justly recoverable and that its recovery by suit is not barred by law.

Date this .. ..... day of..... 196

A. B.,  
Collector.

**FORM No. 3.**  
**Notice to Defaulter.**  
*( See Section 6 )*

To (Name of defaulter).

You are hereby informed that a certificate against you for Rs ..... due from you on account of ....., has this day been filed in my office, under section 4 of the Rajasthan Public Demands Recovery Act, 1952. If you deny your liability to pay the said sum of Rs ..... you may, within thirty days, from the service of this notice, file in my office a petition denying liability, in whole or in part. If, within the said thirty days you fail to file such a petition, or if you fail to show cause, or do not show sufficient cause, why such certificate should not be executed it will be executed under the provisions of the said Act, unless you pay Rs. (Rs.... on account of the demand and Rs ..... on account of costs of realisation) into my office. Until the said amount is so paid, you are hereby prohibited from alienating your immovable property, or any part of it, by sale, gift, mortgage or otherwise. If you in the meantime conceal, remove or dispose of any part of your moveable property, the certificate will be executed immediately.

A copy of the certificate above mentioned is hereto annexed.

You may remit the amount by money order, quoting the number and year of the certificate.

Dated this ..... day of..... 19

A. B.,  
Collector of

**FORM No. 2.**  
*Certificate of public Demand.*  
*(See Section 4)*

Filled in the office of the Collector of (name of the district).

No. of Certificate	Name and address of authority sending requisition	Name and address of defaulter.	Amount of public demand including interest if any, for which this certificate is signed and period for which such demand is due.	Further particulars of the public demand for which this certificate is signed.
1	2	3	4	5

I hereby certify that the above-mentioned sum of Rs. is due from the above-named.

I further certify that the above-mentioned sum of Rs. is justly recoverable and that its recovery by suit is not barred by law.

Date this                      day of                      19

A. B.,  
Collector.

**FORM No. 3.**  
*Notice to defaulter.*  
*(See section 6).*

To (name of defaulter).

You are hereby informed that a certificate against you for Rs.                      due from you on account of                      , has this day been filed in my office, under section 4 of the Rajasthan Public Demands Recovery Act, 1952. If you deny your liability to pay the said sum of Rs.                      you may, within thirty days from the service of this notice, file in my office a petition denying liability, in whole or in part. If, within the said thirty days, you fail to file such a petition, or if you fail to show cause, or do not show sufficient cause, why such certificate should not be executed it will be executed under the provisions of the said Act, unless you pay Rs.                      (Rs.                      on account of the demand and Rs.                      on account of costs of realisation) into my office. Until the said amount is so paid, you are hereby prohibited from alienating your immovable property, or any part of it, by sale, gift, mortgage or otherwise. If you in the meantime conceal, remove or dispose of any part of your moveable property, the certificate will be executed immediately.

A copy of the certificate above mentioned is hereto annexed. You may remit the amount by money order, quoting the number and year of the certificate.

Dated this.....day of.....19.....

A. B.,  
Collector of.....



## FORM No. 4.

*Petition denying liability.*

(See section 8).

To

The Collector of

The humble petition of (name of petitioner) of (address)

SHOWETH—

That a certificate No.                      of                      (year) for the sum of Rs.                      has been filed against your petitioner in your office under section 4 of the Rajasthan Public Demands Recovery Act, 1952.

That your petitioner respectfully denies his liability to pay the said sum of Rs.                      (or, where the liability to pay part is admitted, denies his liability to pay more than Rs.                      ), and this—for the following reasons:—

That the facts above stated are true to the best of your petitioner's knowledge and belief.

Your petitioner therefore respectfully prays that the said certificate may be set aside (or modified or varied).

A. B.

(Petitioner).

## FORM No. 5.

*Notice to legal representative of defaulter.*

(See section 19).

To (Name of legal representative).

You are hereby informed that a certificate against                      , deceased, for Rs.                      due from him on account of                      , was filed in this office on the                      19                      , under section                      of the Rajasthan Public Demands Recovery Act, 1952, and that a demand of Rs.                      in respect of the said certificate proceeding is due from you as the legal representatives of the said deceased. If you deny your liability to pay the said sum of Rs.                      you may, within thirty days from the service of this notice, file in my office a petition denying liability in whole or in part. If, within the said thirty days, you fail to file such a petition, or if you fail to show cause or do not show sufficient cause, why such certificate should not be executed, it will be executed, under the provisions of the said Act, unless you pay Rs.                      (Rs.                      on account of the demand and Rs.                      on account of costs of realization) into my office. Until the said amount is so paid, you are hereby prohibited from alienating your immovable property, or any part of it, by sale, gift, mortgage or otherwise. If you in the meantime conceal, remove or dispose of any part of your moveable property, the certificate will be executed immediately.

A copy of the certificate above-mentioned is hereto annexed.

You may remit the amount by money-order, quoting the number and year of the certificate.

Dated this.....day of.....19 ,

A. B.,

*Collector.*

By Order of

His Highness the Rajpramukh,

G. S. PUROHIT,

*Additional Finance Secretary.*

NOTIFICATIONS UNDER  
PUBLIC DEMANDS RECOVERY ACT

Jaipur June, 14, 1952.

*No. F. 12 (52) A-Rev. IB/52.*—Under section 1 of the Rajasthan Public Demands Recovery Act, 1952, the Government of Rajasthan is pleased to appoint June 15, 1952 as the date with effect from which the said Act shall come into force.

By Order of  
His Highness the Rajpramukh,  
SHYAM LAL,  
*Secretary to the Government.*

## Notification under

### RAJASTHAN PUBLIC DEMANDS RECOVERY RULES, 1953

*Notification No. F. 7 (1) FD/R/en./G64.*—In exercise of the powers conferred by section 29 of the Rajasthan Public Demands Recovery Act, 1952 ( Rajasthan Act V of 1952 ), the State Government hereby makes the following amendment in the Rajasthan Public Demands Recovery Rules, 1953. namely:—

#### AMENDMENT

For the existing rule 11 of the said rules, the following rule shall be substituted, namely:—

“11. (1) Where for any reason whatsoever, the summons is returned unserved, the Collector may, either in lieu of, or in addition to, the manner provided for service of summons in the foregoing rules, direct the summons to be served by registered post addressed to the defaulter or his agent empowered to accept service at the place where the defaulter or his agent ordinarily resides or carries on business or personally works for gain.

(2) An acknowledgement purporting to be signed by the defaulter or the agent or an endorsement by a postal employee that the defaulter or the agent refused to take delivery may be deemed by the Collector issuing summons to be *prima facie* proof of service.”

[Finance (Revenue and Economic Affairs) Department-General cum Recovery Section Notification dated 16-1-64 Published in Rajasthan Gazette-Part 4 (Ga)-dated 20-2-54-Page 671 (21).]

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*Rules and Notifications under*

PUBLIC GAMBLING ORDINANCE, 1949.  
( RAJ. ACT No. 48 OF 1949 ).

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*Notifications under*

**RAJASTHAN PUBLIC GAMBLING ORDINANCE, 1949.**

*Published in Raj. Raj-patra Dated Vol. 3 part I at page 419*

Home Department (Police)

**NOTIFICATION.**

Jaipur, July 20, 1951.

No. F. 1 (200) Police-I/50.—In pursuance of the second paragraph of section 5 of the Rajasthan Public Gambling ordinance, 1949, the Government of Rajasthan is pleased to direct that the officer of Police to be authorised by the District Magistrate, a Magistrate of First Class, or the District Superintendent of Police, under the same paragraph, shall not be below the rank of a Sub-Inspector.

Jaipur, July 20, 1951.

No. F. 1 (200) Police I/50.—In exercise of the Powers conferred by sub-section (2) of section 1 of the Rajasthan Public Gambling Ordinance, 1949, the Government of Rajasthan is pleased to extend all the remaining sections of the Ordinance to the areas mentioned in the annexed schedule.

By Order of

His Highness the Rajpramukh,  
**BHAJANLAL CHATURVEDI,**  
Secretary to Government.  
Home Department.

*Published in Raj. Raj-patra Dated December 20, 1952 part I at page 880.*

Jaipur, December 17, 1952.

No. F. 1 (200) Home-1/50.—In exercise of the powers conferred by sub section (2) of section 1 of the Rajasthan Public Gambling Ordinance, 1949, the Government of Rajasthan is pleased to extend all the remaining sections of the Ordinance to the towns of Delwara and Eklingji in Udaipur District.

By Order of

His Highness the Rajpramukh,  
**BHAJANLAL CHATURVEDI,**  
Secretary to the Government.

*Published in Raj. Raj-patra Dated August 28, 1958 part IV (c) at page 860.*

Home 'A' Department

**NOTIFICATION**

Jaipur, August 7, 1958,

No. F. 3/1 (1) Home (A)/58.—In pursuance of section 5 of the Rajasthan Public Gambling Ordinance, 1949 (Ordinance No. XLVIII of 1949), the State Government hereby appoints all officers of Police not below the rank of a Sub-inspector, for the purposes of the said section.

By Order of the Governor,  
C. S. GUPTA;

Secretary to the Government.

*Published in Raj. Raj patra Dated Setember 25, 1958 part IV (c) at page 1007;*

Home (A) Department

**NOTIFICATIONS**

Jaipur, September 9, 1958

No. D. 9130/HA/F.3/1 (2) Home (A) 58.—In pursuance of sub-section (2) of section 1 of the Rajasthan Public Gambling Ordinance, 1949 (Ordinance No. XLVIII of 1949), the State Government hereby extends with immediate effect, all the remaining sections of the said Ordinance to the Nasirabad Cantonment area and to the Municipal limits of the following towns in the Ajmer District, namely—

1. Ajmer,
2. Beawar,
3. Kekri,
4. Bijainagar, and
5. Pushkar,

*Notifications under*

**Rajasthan Public Gambling Ordinance, 1949**

*Published in Raj. Raj-patra part IV (a) dated July 12, 1962 at pages 1 :*

**HOME 'A' DEPARTMENT**

**NOTIFICATION**

*Jaipur, June 25, 1962*

No. F. 3 (2) Home ( A-Gr. 11 )/61:—In pursuance of sub-section (2) of section 1 of the Rajasthan public Gambling Ordinance, 1949 (Ordinance No. XLVIII of 1949), the State Government hereby extends with immediate effect, all the remaining sections of the said Ordinance to the following towns in Jhunjhunu District, namely:—

- |                                  |            |
|----------------------------------|------------|
| 1. Pilani (including Vidyabihar) | 5. Mandawa |
| 2. Khetri                        | 6. Bissau  |
| 3. Surajgarh                     | 7. Bagar.  |
| 4. Udaipur                       |            |

By Order of the Governor,  
SHIVSHANKER  
Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) at page 20*

**HOME 'A' DEPARTMENT**

**NOTIFICATION**

*Jaipur, February 7, 1961.*

No. F. 3 (2) Home ( A-Gr. II )/61:—In pursuance of Sub-Section (2) of section 1 of the Rajasthan Public Gambling Ordinance, 1949 (Ordinance No. XLVIII of 1919), the State Government hereby extends with immediate effect, all the remaining sections of the said Ordinance to the following towns and villages in Alwar District, namely:—

- |               |                            |
|---------------|----------------------------|
| 1. Rajgarh    | 2. Lachhmangarh            |
| 3. Govindgarh | 4. Kathumar                |
| 5. Kherli     | 6. Thanagazi               |
| 7. Narainpur  | 8. Tehla                   |
| 9. Pratapgadh | 10. Agra (P.S. Pratapgadh) |
| 11. Behror    | 12. Ramgarh                |
| 13. Tijara    | 14. Kishangarh             |
| 15. Khairthal | 16. Tapukra                |
| 17. Kotkasim  | 18. Mundawar               |

By order of the Governor,  
D. V. HANDA,  
Secretary to the Government

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*Rules and Notifications under*

PUBLIC PARKS ACT, 1956.  
( RAJ. ACT No. 21 OF 1956 ).

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# Rajasthan Public Parks Rules, 1959.

Public Works Department

## NOTIFICATION

Jaipur, August 31, 1959.

No. 997 F. 4 (2) PW-A/52.—In exercise of the powers conferred by section 6 of the Rajasthan Public Parks Act, 1956 (Rajasthan Act No. 21 of 1956), the Government of Rajasthan hereby makes the following Rules, namely:—

1. *Short title and commencement.*—These rules may be called the Rajasthan Public Parks Rules, 1959 and shall come into force on the date of their publication in the Gazette

### *Notes.*

Section 6 of the Rajasthan Public Parks Act, 1956 authorises the State Government to make rules for the purpose of carrying into effect the provisions of the Act.

The present rules have been framed on the authority of the aforesaid section 6 of the Act.

2. *Definition.*—In these rules unless the context otherwise requires, the expression—

(a) “Act” means the Rajasthan Public Parks Act, 1956 (Rajasthan Act No. 21 of 1956);

(b) “Park” means a public park included in the Schedule to these rules or any other park declared so under section 3 of the Act;

(c) “Park Offence” means an offence punishable under the Act or any rule made thereunder;

(d) “Park Produce” means any product of a park and includes—

(i) Vegetables, fruits, flowers, leaves, barks wood, roots or any other produce or by-product of any species of the vegetable kingdom and their parasites and;

(ii) Pet, surface soil, rock, stones and other minerals;

(e) “Park Servant” means the Chodhary, Mate, Hali, Chowkidar and Zoo Keeper borne on permanent establishment or contingency paid; and

(f) "Section" means a section of the Act.

3. *Declaration of Public Parks.*—The parks and gardens included in the Schedule to these rules are hereby declared to be Public Parks and the provisions of the Act shall apply to them.

*Notes.*

Section 3 of the Act requires the State Government to declare any park or garden to be a public park and thereupon provisions of the Act shall apply to such park.

4. *Powers and duties of Superintendents and Park Servants.*—

(1) Every park servant shall prevent, and may interfere for the purpose of preventing commission of any park offence.

(2) If any person has committed or has been accused or is suspected of committing a park offence, he shall be liable to ejection from the park forthwith by the Superintendent or any other Officer-in-charge of the park.

(3) If the Superintendent has reason to believe of any person to be a habitual offender of the park, he may exclude such person from the park for such period as he may deem necessary.

(4) If any animal has turned fatal to the public or to the inmates of the park or the inmates of the Zoo and its destruction or capture is necessary, the Superintendent shall arrange for its destruction or capture as soon as possible.

(5) If any animal is killed, the Superintendent or an officer-in-charge of the park may utilise remains for the use of the park or keep them in the Zoo or sell or destroy them as he considers fit.

(6) In case of capture of an animal, the Superintendent may sell or let it loose or order its destruction, if necessary.

(7) If and when required, the Superintendent shall sell or exchange any park produce.

(8) If and when required whole or a portion of the park or any play-ground or building attached to the park may be reserved by the Superintendent and notice for such reservation shall be posted in such conspicuous manner as Superintendent may deem best, to give information to the public visiting the park.

5. *Prohibition of trading by park servants.*—No Superintendent or any officer-in-charge of a Park or any park servant, shall

either as principal or agent, trade in park produce or become interested in any sale or purchase or exchange or in any contract of the park produce or lease of the parks land whether in or outside the park within the same district.

6. *Prohibition to keep domestic animals.*—No Superintendent or any officer-in-charge of a park or any other park servant shall keep any domestic animal within the precincts of the park without written permission of the Head of the Department.

*Notes.*

Section 5 of the Act prohibits acts as mentioned in sub-section (a) (b), (c) and (d) in a park.

7. *Residence.*—No person shall reside within the precincts of any park without permission in writing by the name or designation, of the Chief Engineer, P.W.D., 'B & R' Rajasthan, Jaipur.

8. *Time during which a park will remain open.*—(a) Every park in Rajasthan will ordinarily be open for use by the Public during the following hours:—

(i) From November, 1st to 14th March 6.00 A. M. to 9.30 P. M.

(ii) From March 15th to 31st October 5.00 A. M. to 10.30 P. M.

(b) The zoo cages and enclosures will remain open from sunrise to sunset throughout the year.

(c) The approach of the closing time each day will be announced by sounding of a gong or putting out the lights for a few seconds, when all visitors should prepare to leave the park.

(d) Children below the age of 12 years shall not enter a park unless accompanied by a parent or guardian.

*Notes.*

Present items (i) and (ii) of sub-rule (a) of Rule 8 have been substituted for the previous one vide Public Works Department Notification No. S. O. No. D- 1247/F. 4 (2) P.W./52 dated July 13, 1950 Previous items (i) and (ii) read as under:—

(i) From November 1st to 14th March. 6-00 a.m. to 8-00 p.m.

(ii) From March 15th to 31st October. 5-00 a.m. to 9-00 p.m.

9. *Conditions of entry and residence.*—No person shall in a park—

(1) render or perform any social or religious service paid on any day or on any special occasion without obtaining written permission from the Superintendent or higher authorities of the park,

(2) enter or attempt to enter the park except through the entrances provided for the purpose.

(3) climb over or upon any gate pole or barriers in or enclosing the park,

(4) enter or attempt to enter any enclosure, plantation, reserved corner or temporary enclosure or reserved area or go into high towers,

(5) remain willfully when gates are closed or after the hours appointed for the closing thereof,

(6) save in case of prepared meal for less than 10 persons in a party, camp or picnic in any park thereof except by special permission of the Superintendent,

(7) bring an animal other than a horse which is being ridden or harnessed in a vehicle or dogs which is on leashes or left under effective control in a vehicle,

(8) give or offer to any animal of the park any food likely to cause harm to it,

(9) tease or annoy any animal of the park by giving, offering throwing in cages or enclosures, any stick, bottle, mirror, glass, drug, scent, matches or tobacco in any form or any, other substance other than food,

(10) drive, ride or wheel any animal, vehicle or cycle of any kind across or any part of the park other than roads, leave or permit the same to remain upon any part of the park, other than the place provided for,

(11) drive or bring any heavy vehicle, tractor or any other heavy machine on wheel or belt,

(12) drive or ride any vehicle or cycle of any description or a beast of burden at a speed exceeding 15 miles per hour

or in such a manner or at such a speed as to endanger any person or property,

(13) remove or injure any statue, canopy, fountain and fountain pond, post, chain, railing, fences, seat, barrier, gate cage, notice-board, table or play articles or any scientific object or any other matter or thing in the park appurtenant thereto or deface or disfigure the same by pasting or affixing in any way any pill, dlaycard or notice or by cutting, writing, stamping, printing, drawing thereon,

(14) 'clean or break up any land for cultivation or for any other purpose or cut fuels, pluck, injure or remove any timber, tree, shurb, brush wood, fern turf, grass, flower or any plant or vegetable,

(15) chase, catch, trap or snare or lay or place any net or hook or trap for taking animal,

(16) put a boat, launch or any other vessel on or in the water of river, tank, bund or lake,

(17) fire any weapon or discharge any fire work or catapult or air gun or air pistol, or string or throw any stone, stick or other missile at any object or animal,

(18) deposit or leave any glass or China earthen-ware, tink, cartoon, papers, hairs or other refuse or litter which harm or tend to harm the amenities of the park,

(19) erect or place any stool, triped, or photographic, or cinematographic apparatus, stand or screen or any other similar erection so as to cause obstruction to the public,

(20) light fire or cook anything except in a place, if any, provided for,

(21) deliver, utter or read any public lecture, prayer, sermon or address of any kind or description whatsoever, except with the permission of the Superintendent,

(22) distribute or exhibit or affix any book, pamphlet, leaflet, card bill, advertisement, or literature of any kind whatso-ever,

(23) sing any sacred or secular song or sound or play upon any musical instrument or use loud speaker or amplifier, after a request to desist by any official on duty,

(24) use foul or offensive language or behave or act in a

manner contrary to public decency or propriety likely to cause breach of peace,

(25) beg or solicit or attempt to collect money for any purpose whatever,

(26) erect post or guy or make any connection of power, or telephone, telegraphy or instal any apparatus of the same.

(27) hang-on, pull or lean on any cage or enclosure,

(28) do anything which would cause wastage of water, draw water for drinking from any hydrant or tap not specially provided for the purpose,

(29) go or attempt to go to any closet, urinal, or other places of convenience provided for the use of opposite sex,

(30) enter or attempt to enter any portion reserved for ladies or for other purpose,

(31) wash any article or linen, or wade or bathe or pollute or poison water in any reservoir, baori, jhalra, or well of any description, tank, lake, ditch, trough, fountain, pond, fish pond, or any other pool or pond or do anything likely to cause pollution for sale any article of water,

(32) sell or offer or exhibit for sale any article or thing without being authorised by the Superintendent,

(33) purchase any park produce from any person other than the Superintendent or any other person authorised by him,

(34) unyoke or graze or feed any animal which has been allowed in the park, or

(35) bring a dead body of a human being or an animal.

10. *Power to Compound offences.*—(1) The Superintendent of Park may accept from any person against whom a reasonable suspicion exists that he has committed any park offence, or who has been arrested or who is standing trial, a sum of money by way of compensation for the offence which such person is suspected to have committed, and when any property has been seized as liable to confiscation, to release the same on payment of such value thereof as is estimated by the Superintendent.

(2) On payment of such sum of money not exceeding Rs. fifty or such value or both as the case may be, the suspected person, if in custody, shall be discharged and the property, if any, seized, shall be released and no further proceeding shall be taken against such person or property.

11. *Punishment for wrongful seizure.*—Any park servant who is under the pretence of seizing property liable to confiscation under these rules, shall be severely dealt with.

12. *Cattle trespass.*—Any animal trespassing in the park within the meaning of section 11 of the Cattle Trespass Act, 1871 of the Central Legislature as in force in Rajasthan by virtue of adaptation or otherwise, may be seized and impounded by any officer-in charge of the park or any park servant.

By Order,

Z. S. JHALA,

Secretary to the Government.

#### SCHEDULE

- 1 Purjan Bihar Public Park, Alwar.
  2. Gandhi Park and Phool Badi, Bharatpur.
  - 3 Ganga Niwas Public Park, Bikaner.
  4. Shri Ratan Behariji Temple Park, Bikaner.
  5. Shri Laxmi Nathji's temple Park, Bikaner.
  6. Gole Baghs near Railway Station, Bikaner.
  7. Gindhani Park, Bikaner.
  8. Victoria Park, Subbash Park, Jawahar Park, Dholpur.
  9. Statue Circle, Jaipur.
  10. Ram Niwas Gardens Jaipur.
  11. Amber Garden, Amber, Jaipur.
  12. Ummed Gardens, Jodhpur.
  13. Mandore Garden, Jodhpur.
  14. Jai Raj Park, Jhalawar.
  15. Chatter Villas Garden, Kotah.
  16. Sajjan Garden, Udaipur.
  17. Sahelian Ki Bari, Udaipur.
  18. Mohta Park, Udaipur.
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*Notifications under*

**RAJASTHAN PUBLIC PARKS ACT, 1956.**

*Published in Raj. Raj-patra Dated December 6, 1956 part I (b) at page 707*

English Translation

(Authorised by the Governor of Rajasthan)

**ORDER**

Jaipur, November 23, 1956.

No. D. 17703/F. 4-2-PW/52.—Rajasthan Public Parks Act, 1956, published in the Rajasthan Rajpatra, Part IV-A, Extraordinary, dated 16th June, 1956 shall come into force from 1st January, 1957.

By Order

Z. S. JHALA

Secretary to the Government.

*Published in Raj. Raj-patra Dated December 20, 1956 part IV (c) at page 702:*

English Translation

(Authorised by the Governor)

**NOTIFICATIONS**

Jaipur, December 19, 1956.

No. D. 17703/F. 4-2 PW-52.—In pursuance of sub-section (3) of section 1 of the Rajasthan Public Parks Act, 1956 (No. 21 of 1956) of the Pre-Reorganisation State of Rajasthan, the State Government appoints the 1st day of January, 1957, to be the date on which the said Act shall come into force.

This cancels Public Work Department Order No. D. 17703/F. 4-2.PW-52 dated 23rd November, 1956, published in the Rajasthan Gazette Part I-B dated the 6th December, 1956.

By Order of the Governor,

Z. S. JHALA,

Secretary to the Government.



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*Rules and Notifications under*

RAJ. PUBLIC PREMISES (EVICTION OF UNAUTHORISED  
OCCUPANTS) ACT, 1964.

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# Rajasthan Public Premises (Eviction of Unauthorised Occupants) Rules, 1966

General Administration (A) Department

Jaipur, November 4, 1966.

*Notification No. F. 6 (19) GA/A/64.*—In exercise of the powers conferred by section 17 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964 (2 of 1965), the State Government hereby makes the following rules, namely:—

1. *Short Title.*—These rules may be called the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Rules, 1966.

2. *Definitions.*—In these rules:—

(a) 'Act' means the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964 (2 of 1965),

(b) 'Form' means a form appended to these rules.

(2) Words and expressions used but not defined in these rules shall have the meanings, if any, assigned to them in the Act.

3. *Form of notices and orders.*—A notice or order under the Act shall be in one of the appropriate forms appended to these rules.

4. *Manner of service of notices and orders.*—(1) where the person on whom a notice under sub-section (1) of section 4 or sub-section (1) of section 6 of the Act is to be served cannot be found, copy of such notice shall, in addition, to any other manner of service specified in the Act, be affixed to in a conspicuous part of the last known place of business or residence of such person or sent by registered letter to, such person, or be delivered to some adult member of his family.

(2) The estate officer may also proclaim the contents of any notice in the locality by beat of drum.

5. *Holding of inquiries.*—(1) Where any person on whom a notice or order under this Act has been served desired to be heard through his representative, he should authorise such representative in writing.

(2) The estate officer shall record the summary of the evidence tendered before him. The summary of such evidence and any relevant documents filed before him shall form part of the records of the proceedings.

6. *Manner of taking possession of public premises.*—(1) If any obstruction is offered, or is in the opinion of the estate officer

likely to be offered, to the taking possession of any public premises under the Act, the estate officer, or any other officer duly authorised by him in this behalf, may obtain necessary police assistance.

(2) Where any public premises of which possession is to be taken under the Act is found locked, the estate officer or any other officer duly authorised by him in this behalf, may either seal the premises, or in the presence of two witnesses, break open the locks or open or cause to be opened any door, gate or other barrier, and enter the premises:

Provided that

- (i) No entry shall be made into, or possession taken of public premises before sunrise or after sunset.
- (ii) Where any public premises is forced open, an inventory of the articles found in the premises shall be taken in the presence of two witnesses.

7. *Assessment of damages.*—In assessing damages, for unauthorised use and occupation of and public premises, the estate officer shall take into consideration the following matters, namely :—

(a) the purpose and period for which the public premises were in unauthorised occupation.

(b) the nature size and standard of the accommodation available in such premises.

(c) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation to a private person.

(d) any damage done to the premises during the period of unauthorised occupation.

(e) any other matter relevant for the purpose of assessing the damages.

8. *Procedure in appeals.*—(1) An appeal preferred under section 9 of the Act shall be in writing, shall be forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a copy of such order.

(2) On receipt of the appeal and after calling for and perusing the record of the proceedings before the estate officer, the appellate officer shall appoint a time and place for the hearing of the appeal and shall give notice thereof to the estate officer against whose orders the appeal is preferred and to the appellant.

### FORM 'A'

Form of notice under sub section (1) of section 4 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964.

To,

Shri/Shrimati/Kumari....  
.....  
.....

Whereas, I the undersigned, am of opinion, on the grounds specified below, that you are in unauthorised occupation of the public premises mentioned in the schedule below and that you should be evicted from the said premises:

#### GROUND

Now, therefore, in pursuance of sub-section (1) of section 4 of Act 2 of 1965, I hereby call upon you to show cause on or before the ..... why such an order of eviction should not be made.

#### SCHEDULE

Date ... Signature and seal of the estate officer

Note:—[This date should be a date not earlier than ten days from the date of issue of the notice.]

### FORM 'B'

Form of order under sub-section (1) of section 5 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964.

Whereas I, the undersigned, am satisfied for the reasons recorded below, that Shri/Shrimati/Kumari..... is/are in unauthorised occupation of the public premises specified in the schedule below :

#### REASONS

Now, therefore, in exercise of the powers conferred on me under sub-section (1) of section 5 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964, I hereby order the said Shri/Shrimati/Kumari.... and all the persons who may be in occupation of the said premises or any part thereof to vacate the said premises within thirty days of the date of publication of this order. In the event of refusal or failure to comply with this order, within the period specified above, the said Shri/Shrimati/Kumari ..... and all other persons concerned are liable to be evicted from the said premises, if need be by the use of such force as may be necessary.

#### SCHEDULE

Date

Signature and seal of the estate officer.

### FORM 'C'

Form of notice under sub-section (1) of section 6 of the Rajasthan Premises (Eviction of Unauthorised Occupants) Act, 1964.

To, Shri/Shrimati/Kumari... ..

Whereas on the... .. You were evicted from the public premises described in the schedule below which was unauthorisedly occupied by you.

Now therefore, in exercise of the powers conferred on me by sub-section (1) of section 6 of the Act, I hereby give you notice that, after fourteen days of the service of this notice on you, any property remaining on the said premises will be liable to be removed or disposed of by public action. In case you desire to take possession of your property and to remove the same from the said premises, you will be permitted to do so on written authority from the undersigned provided any arrears of rent/damages due from you are paid within the said period of fourteen days.

### SCHEDULE

Date Signature and seal of estate officer.

### FORM 'D'

Form of order under sub section (1) of section 7 of the Rajasthan Public Premises (Eviction of unauthorised Occupants) Act, 1964.

Shri/Shrimati/Kumari... ..

Whereas you are in occupation of the public premises described in the Schedule below.

And whereas a sum of Rs ... .. being the arrears of rent from the... .. day of..... 19 .. .. up to the ... .. in respect of the said premises is due and payable by you to the Government.

Now, therefore, in exercise of the powers conferred on me by sub-section 1) of section 7 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964, I hereby require you to pay the said sum within ... .. months in equal instalments of Rs... .. In case the said sum is not paid within the said period or in the said manner, it will be recovered as an arrear of land revenue.

### SCHEDULE

Date Signature and seal of the estate officer.

### FORM 'E'

Form of notice under sub-section (2) of section 7 of the Rajasthan Public Premises (Eviction of Unauthorised occupants) Act, 1964.

To,

Shri/Shrimati/Kumari.... ..

Whereas I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises specified in the schedule below. And whereas in exercise of the powers conferred on me by sub-section (2) of section 7 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964, I consider the damages amounting to Rs. .... at the rate of Rs.... ..P. M. have been caused on account of unauthorised use and occupation of the said premises for the period from .... ..to.... ..

Now, therefore, under the provisions of sub-section (2) of section 7 of Act 2 of 1965, I hereby call upon you to show cause on or before the ... ..why an order requiring you to pay the said damage should not be made.

#### SCHEDULE

Date

Signature and seal of the estate officer.

### FORM 'F'

Form of Order under sub-section (2) of section 7 of the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964.

To,

Shri/Shrimati/Kumari.... ..

Whereas I, the undersigned, am satisfied that you are/were in un-authorised use and occupation of the said premises mentioned in the schedule below.

And whereas by a written notice dated.... ..you were called upon to show cause on or before the.... ..why an order requiring you to pay damage of Rs.... .. for unauthorised use and occupation of the said premises should not be made.

\*And whereas I have considered your objections and/or the evidence produced by you.

And whereas you have not made any objection or produce any evidence before the said date.

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Rajasthan Publ

Premises (Eviction of Unauthorised Occupants) Act, 1964, hereby order you to pay the sum of Rs. .... assessed by me as damages on account of your unauthorised occupation of the said premises within ... months in equal instalments of Rs ...

In the event of your refusal or failure to pay the damage or any instalment thereof within the said period or in the manner aforesaid, the amount will be recovered as an arrear of land revenue.

#### SCHEDULE

Date ..... Signature of the estate officer and seal

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 5-11-66 at Page 489.]

*Notification under*

**RAJ. PUBLIC PREMISES (EVICTION OF UNAUTH-  
ORISED OCCUPANTS) ACT, 1964**

General Administration Department (A)

Jaipur, September 30, 1967.

**Notification No. F. 6 (19) GA/A/64.**—In exercise of the powers conferred by section 3 of the Rajasthan Public Premises (Eviction of Un-authorise Occupants) Act, 1964 (Rajasthan Act 2 1965) and in supersession of the Town Planning Department Notifications No. F. 7 (6) TP/65, dated 8-2-1966 relating to appointment of Secretaries of the Improvement Trust, Udaipur, Jodhpur, Alwar, Ajmer. Bikaner, Gangapur, Hinduan, Bharatpur, and Jaipur and of even number dated 24-2-1966 pertaining to the appointment of Execusive Engineer, Improvement Trust, Ajmer, as Estate Officer, the State Government hereby appoints all the Sub Divisiona[ Officers in the State as Estate Officers for the purposes of the said Act and further empowers them to exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act, within their jurisdiction.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 30-9-67 —Page 527]



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*Rules and Notifications under*

PUBLIC SERVICE COMMISSION ORDINANCE, 1949,  
( ORDINANCE No. 23 OF 1949 )

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# The Rajasthan Public Service Commission (Conditions of Service) Regulations, 1951

Government of Rajasthan  
Appointments Department (C)

## NOTIFICATION

Jaipur, March 8, 1951

*Na F. 20 (2) Appts. (C)/50.*—In pursuance of Article 318 of the Constitution, of India His Highness the Rajpramukh is pleased to make the following regulations namely:—

### CHAPTER I.—PRELIMINARY.

1. These Regulation may be called the Rajasthan Public Service Commission (Conditions of Service) Regulations, 1951.

#### *Notes.*

These regulations have been framed by the State Government in pursuance of the power conferred under Article 318 of the constitution of India. The Article reads as under:—

In the case of the Union Commission or a Joint Commission, the president and in the case of a State Commission, the Governor \* \* \* of the State may by regulations—

(a) determine the number of members of the Commission and their conditions of service, and

(b) make provision with respect to the number of members of the staff of the Commission and their conditions of service;

Provided that the condition of service of a member of a public service Commission shall not be varied to his disadvantage after his appointment.

Previous to these regulations such regulations were framed in exercise of the powers conferred under Sub section (2) of section 3 of the Rajasthan Public Service Commission Ordinance, 1949. These regulations were issued under Appointments Department Notification No. F. 10 (13) Appts. (c)/49 dated 17/12/49, published in Rajasthan Rajpatra Extra Ordinary Volume I No. 133 dated 22/12/49. With the coming into force of the present regulations and subsequently under the Constitution of India, the previous regulations of 1949, framed under Rajasthan Public Service Commission Ordinance, 1949 stand repealed.

2. In these Regulations, unless there is something repugnant in the subject or context—

(a) "Commission" means the Public Service Commission for Rajasthan.

(b) "Chairman" means the Member of the Commission who is appointed Chairman.

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*These rules have been first published in Rajasthan Raj-patra dated March 10, 1951 in part I at page 257 :*

(c) 'Member' means a Member of the Commission and includes the Chairman thereof.

(d) 'Constitution' means the Constitution of India.

## CHAPTER II.—COMMISSION.

### *Part I—Commission, Pay and Tenure.*

3. The Commission shall consist of a Chairman and three Members.

4. (1) The Chairman shall be paid a salary of Rs.2,000/-p.m. and each Members a salary of Rs. 1,500/- p.m.:

Provided that Shri S. C. Tripathi, the first Chairman, shall be paid such amount as would, taken together with his pension, give him a total remuneration of Rs 3,000/- p.m:

Provided that if a Chairman or Member at the time of his appointment, as such, is a retired Government servant, the Governor shall determine whether his pension shall be held in abeyance, and if so, whether wholly or in part, or in the alternative shall determine whether the pay fixed by this regulation shall be reduced by an amount not exceeding the amount of such pension including such portion of it as may have been commuted, if pension is allowed to be drawn in full.

Explanation:—The pension shall include Pension equivalent of Death-cum-Retiring Gratuity.

### *Part II—Leave.*

5. A Member who at the date of his appointment was in the service of the Government of Rajasthan may be granted leave under the rules applicable to him and his service as Member shall count for such leave.

6. (1) A Member who at the date of his appointment as such was not in the service of the Government may be granted leave as follows:—

(a) Leave on leave salary equivalent to full pay upto one eleventh of the period spent on duty by him, subject to a maximum of four months at any one time.

(b) Leave on Medical certificate on leave salary equivalent the half pay, subject to a maximum of three months at any one time.

(c) Extraordinary leave without pay and allowances subject to a maximum of three months at any one time.

Explanation I —All, or any two, of these kinds of leave may be granted in combination at one time.

Explanation II.—(1) A Member who at the date of his appointment had retired from the service of the Government of Rajasthan shall, for the purpose of this regulation, be treated as a Member not in the service of the Government.

"(2) Leave at the credit of the Chairman or any other Member shall lapse on the date on which he shall vacate office:—

Provided that if in sufficient time before such date he has—

- (i) Formally applied for leave which has been refused, or
- (ii) ascertained in writing from the sanctioning authority that leave, if applied for, would not be granted,

the ground of refusal in either case being the requirements of the public service, then he may be granted an allowance equivalent to the leave salary for the whole or part of the period of leave so refused, subject to a maximum of four months."

#### Notes

Sub-regulation (2) of regulation 6 stands substituted for the previous one vide Appointments 'A' Department Notification No. F. 14 (13) Appnts. (A)/59 dated November 12, 1959, published in Rajasthan Raj-patra, part IV (c) dated January 21, 1960.

7. (1) A Member may be appointed by the Rajpramukh to perform the duties of the Chairman absent on leave or on the occurrence of a vacancy in the office of the Chairman until some person has been permanently appointed to the office and has entered upon the duties thereof.

(2) The Member so appointed to perform the duties of the Chairman shall receive for the period that he performs such duties the salary prescribed in Regulation 4 (1) for the Chairman.

(i) Where an arrangement of this nature exceeds 6 months, the extra emoluments shall be paid at the rate of full difference between the salary of the Member and the salary of the Chairman.

(ii) Provided further that Shri Devi Shanker Tiwari and Shri V. R. Adige, Members of the Commission, will, after the 8th March, 1951, on which date the Rajasthan Public Service Commission (Conditions of Service) Regulations, 1951 were brought into force, be governed by the original regulation 7 (2), namely:—

(iii) The Member so appointed to perform the duties of the Chairman, shall receive for the period that he performs such duties, the salary prescribed in Regulation 4 (1) for the Chairman.

#### Notes

The first proviso to sub-regulation (2) of regulation 7 stands newly inserted vide Appointments (A-IV) Department Notification No. F. 3 (8) Appnts (A)/60 dated April 3, 1961, published in Rajasthan Raj-patra, part IV (c) dated May 18, 1961; and the previous two have been renumbered as proviso (ii) and (iii)

### *Part III--Pension and Provident Fund*

8. (1) In this Part, unless the context otherwise requires:—

(a) 'Actual Service' includes—

(i) time spent on duty as a Member of the Rajasthan Public Service Commission;

(ii) time spent on duty by a Member referred to in sub-clause (i), in the performance of such other functions as he may, at the request of the Governor, undertake to discharge; and

(iii) Joining time on transfer to the office Member from a post or an office under the Union or a State.

### *Part IV--Travelling Allowance.*

10(1) A Member is entitled when travelling on duty—

(a) When travelling by Railway, to air-conditioned accommodation where such accomodation is available and is actually paid for the journey, and in other cases to First Class fare, and to fares (if actually paid) for three servants at lowest class rates;

(b) when travelling by road, to a mileage allowance at the rate of Rs./8/-per mile;

(c) when travelling by air, to a mileage allowance equal to one and one-fourth of the standard air for the journey; and

(d) to a daily allowance at the rate of Rs. 12/- per diem for each day on which he is absent on duty from his headquarters.

Explanation:-- A Member shall have the option to undertake journey by any of the means, mentioned above.

(2) A member is entitled when travelling by rail or transfer:—

(a) *For Self*.—One first class railway fare as actually paid and incidental charges at twice the rate of 12 pies per mile.

(b) *For Family*.—One first class railway fare for each adult and half for each child belonging to the Members' family as defined in 'Note' below, as actually paid, provided the journey is undertaken within six months of the date on which the Member himself undertakes the journey on transfer.

*Note*:—Family means the Member's lawfully married wife and his legitimate children residing with and wholly dependent on him.

(c) *For carriage of personal effects*.—Actual cost of carriage of personal effect up the limit of sixty maunds if 'family' accompanies or follows within a period of six months as in (b) above, OR forty maunds if the family does not so accompany or follow provided the personal effects are transported within six months of the date on which the Member undertakes the journey on transfer.

*Note*:- (1) The personal effects up to the limits specified above, will be allowed by goods train at the owner's risk rate or, where no such rate is in force, at the railway risk rate.

In case the personal effects are transported by passenger train or by road, the actual cost of carriage may be drawn up to the limit of the amount which would have been admissible had the maximum number of maunds been taken by goods train.

(2) A Member, who is accompanied by his family, or followed by his family within six months of his journey on transfer, may draw minimum charges for a full wagon when he actually utilises a full wagon for carrying personal effects by rail.

(d) *For transportation of Motor Car*.—An allowance of two annas a mile only for the distance between the two places by road shall be admissible for the transportation of motor car whether the car is actually taken by road or rail.

If, however, the Member and/or any member or members of his family travel by the car, he may, in lieu of this allowance, draw the railway fare or fares which would have been admissible if the journey had been performed by rail.

*Note*

Present sub-regulation (2) and its proviso have been newly added vide Appointments (A) Department Notification No. F.14 (13) Appts. (A) 58 dated January 18, 1959, published in Rajasthan Raj-patra, Part IV (c) dated May 14, 1959 and Appointment (A-IV) Department Notification No. F. 3 (22) Appts. (A) IV/61 dated June 18, 1962, published in Rajasthan Raj-patra, part IV (c) dated July 12, 1962 respectively.

10A. The medical and surgical treatment to a Member and the family shall be provided in accordance with the rules prescribed in this behalf for the highest class of officers of the Rajasthan Government, who are governed by the Rajasthan Service ( Medical Attendance ) Rules, 1951.

### CHAPTER III—STAFF.

#### *Part I—Composition*

11. The staff of the Commission shall include a Secretary and such number of gazetted and non-gazetted ministerial officials and Clas IV servants as the Rajpramukh may from time to time determine.

#### *Part II—Conditions of service.*

12. The secretary and the gazetted officials of the Commission shall be appointed by the Commission with the approval of the Rajpramukh. Unless a shorter term is fixed by the Rajpramukh the tenure of the office of the Secretary shall be five years, provided than the Commission may with approval of the Rajpramukh, extend the tenure of the Secretary by any period not exceeding five years. The Secretary shall, if he is a Member of the Rajasthan State Service, receive pay according to the time scale to which he belongs,

plus such special pay as may be sanctioned by the Government. If the Secretary is not a Member of the State Service he shall receive such pay and allowance as the Rajpramukh may determine.

Provided that Shri Shyam Sunder Sharma, the first Secretary shall receive pay in the scale of Rs. 500-35-700 plus a special pay of Rs. 100/- P. M. with effect from the 1st April, 1950.

13. In respect of all other matters, the conditions of service of the Secretary shall be such as are applicable to a Member of a Class I State Service, except that when he is not a Member of a State Service, the authority who may impose any of the penalties prescribed by the Civil Service Rules shall be the Chairman and that the appellate authority shall be the Rajpramukh.

### MINISTERIAL ESTABLISHMENT

14. (1) Appointments to the Ministerial non-gazetted posts shall be made by the Secretary to the Commission subject to the approval of the Chairman.

(2) The Ministerial establishment shall be subject to the same conditions of service as the personnel of corresponding grades in the Secretariat of the Government of Rajasthan who were recruited at the same time, save that the authority who may impose any of the penalties prescribed in the Rajasthan Government Civil Service Rules shall be the Secretary and the appellate authority shall be the Chairman.

### CLASS IV SERVANTS.

15. The Class IV servants shall be appointed by the Secretary and their pay, allowances and conditions of service shall be the same as those of corresponding grades in the Secretariat of the Government of Rajasthan, save that the authority who may impose any of the penalties prescribed in the Rajasthan Government Civil Service Rules, shall be the Secretary and the appellate authority shall be the Chairman.

By Order of

His Highness the Rajpramukh

S. W. SHIVESHWARKAR.

Chief Secretary to the Government of Rajasthan

# **The Rajasthan Public Service Commission (Limitation of Functions) Regulations, 1951.**

Government of Rajasthan  
Appointments (C) Department.

## **NOTIFICATION.**

Jaipur, March 23, 1951.

No. F. 20 (1) Appmts. (C)/50.—In exercise of the powers conferred by the proviso to clause (3) of Article 320 of the Constitution of India, the Rajpramukh is pleased to make the following regulations:—

### **PART I.—General.**

1. These regulations may be cited as the “Rajasthan Public Service Commission (Limitation of Functions) Regulation, 1951.”

#### *Notes*

Article 320 of the Constitution of India provides that:—

(1) It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services of the Union and the services of the State respectively.

(2) It shall also be the duty of the Union Public Service Commission, if requested by any two or more States so to do, to assist those States in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.

(3) The Union Public Service Commission or the State Public Service Commission, as the case may be, shall be consulted—

(a) on all matters relating to methods of recruitment to civil services and for civil posts;

(b) on the principles to be followed in making appointments to civil services and posts in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers;

(c) on all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a civil capacity including memorials or petitions relating to such matters;

(d) on any claim by or in respect of a person who is serving or has served under the Government of India or the Government of a State or under the Crown in India or under the Government of an Indian State, in a civil capacity, that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of India, or, as the case may be, out of the Consolidated Fund of the State;

(e) on any Claim for the award of a pension in respect of injuries sustained by a person while serving under the Government of India or the Government of a State or under the Crown in India or under the Government of Indian State, in a civil capacity, and any question as to the amount of any such award,

and it shall be the duty of a Public Service Commission to advise on any matters so referred to them and on any other matter which the President, or, as the case may be, the Governor \* \* \*, of the State, may refer to them;

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*These rules have been first published in Rajasthan Raj-patra dated March 23, 1951 at page 263.*



Provided that the President as respects the all India services and also as respects other services and posts in connection with the affairs of the Union and the Governor\* \* \*, as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances it shall not be necessary for a Public Service Commission to be consulted.

(4) Nothing in clause (3) shall require a Public Service Commission to be consulted as respect the manner in which any provision referred to in clause (4) of article 16 may be made or as respects the manner in which effect may be given to the provisions of article 335.

(5) All regulations made under the proviso to clause (3) by the President or the Governor\* \* \* of a State shall be laid for not less than fourteen days before each House of Parliament or the House or each house of the Legislature of the States as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both House of Parliament or the House or both Houses of the Legislature of the State may make during the session in which they are so laid.

These regulations have been framed under the authority of the aforesaid proviso to clause (iii) of Article 320.

(2) In these regulations—

(i) "Commission" means the Rajasthan Public Service Commission.

(ii) "Government" means the Government of Rajasthan.

(iii) "Service" or "Post" means a civil service or post in connection with the affairs of the State of Rajasthan.

(iv) "Appointing authority" means the authority which makes appointments to any service or post in connection with the affairs of the Rajasthan State.

(v) "Schedule" means a schedule appended to these regulations.

(vi) "Services of the Covenanting States" means the services of—

(a) any of the States specified in Article 1 (a) of the Covenant establishing the State of Rajasthan :

(b) the "former Rajasthan State" as defined in sub-clause (b) of the said article; or

(c) the "former Matsya State" as defined in sub-clause (i) (aa) of the Agreement dated the 10th May, 1949, between the Rajpramukh of Rajasthan and the Rulers of Alwar, Bharatpur, Dholpur and Karauli

## PART II.—Recruitment and Appointments.

3. It shall not be necessary for the Commission to be consulted on any of the following matters of general principle relating to methods of recruitment and the principles to be followed in making appointments:—

(1) the creation and organisation of services and posts and their designation;

(2) the classification of services and posts;

(3) the general methods of recruitment to a service or post i.e. whether recruitment should be made by examination, selection or

promotion or transfer, or partly by one of these methods or partly by another, and in the latter case, the proportion in which recruitment to any particular service should be made by each method and the relative seniority of candidates recruited by different methods;

(4) the determination of the number of vacancies to be filled in a service in any particular year.

(5) the determination of the strength of the cadres of different services;

(6) the determination of the salary of Government servants on their first appointment and of officiating incumbents of posts;

(7) the determination of the initial salary of Government servants recruited by promotion;

(8) transfers of Government servants from and to foreign service;

(9) the probation and training of Government servants and the conditions of their confirmation in service.

4. It shall not be necessary for the Commission to be consulted in respect of any matters relating to or arising out of appointments made for the integration of services of the various Covenanting States in the services of the State of Rajasthan and interim appointments made or to be made in the process of such integration.

5. It shall not be necessary for the Commission to be consulted when the recruitment or appointment is to a post specified in the Schedule.

#### Notes.

Previously word 'First' occurring before the word "Schedule" has now been deleted vide Appointments (a) IV Department Notification No F. 14 (8) Appts. (A) 56 dated September 27, 1961, published in Rajasthan Raj-patra, part IV (c) dated September 27, 1961.

6. It shall not be necessary for the Commission to be consulted in matters relating to methods of recruitment to civil services and posts, or the principles to be followed in making appointments to such services and posts, or the suitability of the candidates for such appointments.

(a) When the appointment is to be made by authority other than the Government on a ministerial or class IV service or post or any post not coming under any of the above categories and those covered by sub clause (b) of these regulations, the pay or the maximum pay of which does not exceed Rs. 225/- p.m.

(b) (i) When the appointment is to be made by authority other than the Government on posts of Teachers, Librarians and Laboratory Assistants in Education Department as well as on technical posts in other Departments (i.e. posts which require technical

qualifications, skill or experience), the maximum pay of which does not exceed Rs. 250/- p.m.

(ii) The posts to which appointments are made by the Chief Justice of the High Court under clause (1) of Article 229 of the Constitution of India.

(c) When it is proposed to appoint a member of a service to a post which is normally filled by a member of that service or is similar to posts normally filled by members of that service.

(d) When officiating appointment is made to a post borne on the State cadre of the I.A.S./I.P.S.

(e) When appointment is made of an officer of the I.A.S./I.P.S. to a non-cadre post declared equivalent to a post borne on the cadre of the service to which such officer belongs.

(f) When the appointment is to be made by an authority other than the Government against 12½% if the number of vacancies which occurred in Subordinate Services, as defined in the Rajasthan Civil Services (Classification Control and Appeal) Rules, 1958 from 1-1-1959 to 30-6-1961, but were not filled up from amongst the candidates belonging to Scheduled Castes/Tribes.

#### Notes.

Present Regulation 6, except clause (f) has been newly substituted for the previous one vide the same amending notification dated September 27, 1961 referred above. Clause (f) has been newly inserted and figures "Rs. 225/-" and "Rs. 250/-" respectively in clause (a) and (b) have been newly substituted for the previous figures "Rs. 120/-" and "Rs. 225/-" respectively vide Appointments (A) IV Department Notification No. F. 3 (17) Appnts (A) 61 dated March 28, 1962, published in Rajasthan Raj-patra; part IV (c) dated May 17, 1962.

Previously Regulation 6 appeared as under:—

6. It shall not be necessary for the Commission to be consulted in matters relating to methods of recruitment to civil services and posts, or the principles to be followed in making appointments to such services and posts, or the suitability of candidates for such appointments:—

(a) when the appointment is to be made by an appointing authority other than the Government except in regard to services and posts mentioned in the Second Schedule; and

(b) when it is Proposed to appoint a member of a service to a post which is normally filled by a member of that service or is similar to posts normally filled by members of that service.

7. It shall not be necessary for the Commission to be Consulted on the Suitability of candidates for any appointment for a period not exceeding 12 months in case of doctors on non-teaching posts" and 'women technical staff", and not exceeding 6 months in case of others, to a Service or post to which appointment, promotion or transfer is ordinarily made after consultation with the Commission when, owing to an emergency, the Commission cannot be consulted without detriment to the public service.

Provided that if the duration of the appointment actual or probable is more than 12 months or 6 months, as the case may be, the Commission shall be consulted as soon as possible after the appointment is made and in any case before the expiry of 6 months from the date of appointment regarding the Suitability of the candidates appointed.

8. It shall not be necessary for the Commission to be consulted in respect of appointment to any post of an officer on deputation from the Government of India or from any State for a period not exceeding one year.

9. It shall not be necessary for the Commission to be consulted when it is proposed to re-appoint a retired officer for a period not exceeding 3 years in the case of Post-Graduate Heads of Departments, Readers and Principals of Degree and Post-Graduate College and of doctors and women employees in all Department and for a period not exceeding 2 years in the case of other officers:—

(a) temporarily to a permanent post in the Service from which he retired; or

(b) to a temporary post created as an addition to the cadre of the service from which he retired; or

(c) to any other temporarily or permanent post the duties of which are similar to those normally discharged by members of the service from which he retired.

Present Regulation 7, 8, and 9 have been newly Substituted for the previous regulations 7, 8 and 9 vide the same amending notification dated March 28, 1962 referred above.

Previously regulations 7, 8 and 9 stood as under:—

7. It shall not be necessary for the Commission to be consulted on the suitability of candidates for any appointment, promotion or transfer for a period not exceeding six months to a service or post to which appointment, promotion or transfer is ordinarily made after consultation with the Commission when, owing to an emergency, the Commission cannot be consulted without detriment to the public service;

Provided that if the duration of the appointment actual or probable, is more than six months the Commission shall be consulted as soon as possible after the appointment is made and in any case, before the expiry of six months from the date of appointment, regarding the suitability of the candidate appointed.

8. It shall not be necessary for the Commission to be consulted in respect of appointment to any post of an officer on deputation from—

(a) the Government of India; or

(b) from a Part A State; or

(c) from a Part B State for a period not exceeding one year.

9. It shall not be necessary for the Commission to be consulted when it is proposed to re-appoint a retired officer for a period not exceeding two years—

(a) temporarily to a permanent post in the service from which he retired, or

(b) to a temporary post created as an addition to the cadre of the service from which he retired; or

(c) to any other temporary or permanent post the duties of which are similar to those normally discharged by members of the service from which he retired.

### PART III.—Transfers and Promotions.

10. It shall not be necessary to consult the Commission regarding the principles to be followed in making transfers or regarding the suitability of candidates for transfer or promotion in the following cases:—

(a) Promotion to a service or post by an appointing authority other than the Government; unless the service or post is within the purview of the Commission.

(b) promotion from a lower to a higher grade or post within the same service according to the rules of service:

Provided that if it is proposed to make a promotion from one grade to another, the Commission shall be consulted if direct recruitment to the higher grade may also be made after consulting the Commission.

#### Notes.

Present clause (a) has been substituted for the former Clause (a) vide the same amending notification dated September 27, 1961 referred above.

10A. "It shall not be necessary to consult the Commission in respect of matters specified in sub-clause (a) and (b) of clause 3 of Article 320 of the Constitution of India for any temporary post which is filled by the person not already confirmed in a civil service or re-employed in a civil post on a contract when the post is not likely to last more than one year. If, however, at the time of appointment or subsequent to it, it appears that the post is likely to last for more than a year, then, as soon as possible thereafter the Commission shall be consulted in all matters specified in sub-clauses (a) and (b) of clause 3 of Article 320 of the Constitution of India.

#### Notes.

Present regulation 10 A has been newly added vide the same amending notification dated September 27, 1961 referred above.

### PART IV.—Disciplinary Matters.

11. It shall not be necessary for the Commission to be consulted—

(i) on disciplinary matters, including memorials and petitions relating to such matters, when the order is to be passed by an appointing authority subordinate to the Government;

(ii) before drawing up or directing the drawing up of proceedings against any Government servant with a view to disciplinary action;

(iii) at any stage of disciplinary proceedings until the case is ready for final decision;

(iv) when the order is passed by Government and is—

(a) an order of suspension passed in order to enable an enquiry to be held;

(b) an order relating to the discharge or reversion of an office otherwise than as a penalty;

(c) an order imposing any punishment other than dismissal or removal from service or reduction to a lower post or time scale or to a lower stage in a time scale or recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of law, rules or orders.

*Explanation 1.—The discharge—*

(a) of a person appointed on probation during or at the end of the period of probation on grounds arising out of the specific conditions of probation;

(b) of a person otherwise than under contract to hold a temporary appointment on the expiration of the period of appointment;

(c) of a person engaged under contract, in accordance with the terms of his contract; and

(d) of a person in the service of any of the Covenantee States, who has been found, in accordance with the integration rules, either surplus or unsuitable for appointment to the services of the State of Rajasthan shall not be deemed to amount to removal or dismissal for the purposes of this Regulation.

*Explanation 2.—The discharge of a person appointed on an ad hoc or provisional basis to any of the posts in the Rajasthan Services otherwise than for reasons of his being found surplus or unsuitable for appointment to the services of the State of Rajasthan, shall amount to removal or dismissal as the case may be.*

*Explanation 3—Reduction to a lower post a person appointed on an ad hoc or provisional basis to any of the posts in the Rajasthan Services consequent on the enforcement of any of the schemes for the integration of the services of the Covenantee State in the services*

of the State of Rajasthan, shall not be deemed to amount to a penalty within the meaning of this Regulation.

*Explanation 4*—The extension of the probationary period on grounds arising out the specific conditions of probation shall not be deemed to be penalty within the meaning of the Regulation.

12. It shall not be necessary for the Commission to be consulted on any matter on which the Commission has given advice at any previous stage as to the order to be passed and no fresh question has thereafter arisen for determination.

## PART V

### *Awards and Pensions.*

13. It shall not be necessary for the Commission to be consulted on any claim for the award of a pension in respect of death caused as a result of injuries sustained by a person while serving in the Police Force of the Government in a civil capacity and any question as to the amount of any such award.

### *Notes*

Present part V has been newly inserted vide Appointments (A-IV) Department Notification No. F. 14 (3) Appnts. (A)/56 dated May 20, 1962, published in Rajasthan Raj-patra part IV (c) dated June 21, 1962 and previously esitily part V has been renumbered as part VI.

### Part VI—Miscellaneous.

13. Notwithstanding anything contained in these regulations, the Government may direct that the Commission shall be consulted in any particular case.

## SCHEDULE

(See Regulation 5)

- (1) Appointment in the office and at the residence of Governor and in the office of the Secretary to the Governor.
  - (2) Advocate General, Government Pleaders and Public Prosecutors.
  - (3) Administrator General and Official Trustees.
  - (4) Official Receiver in the State Insolvency Act.
  - (5) All posts in the Rajasthan Police Force and Rajasthan Armed Constabulary other than posts encadred in the Rajasthan Police Service.
  - (6) Honoary post of Medical Officer.
6. The 'Second Schedule' shall be deleted.

### *Notes*

The Present first Schedule except item No. 5 has been substituted for the Paevious First Schedule vide notification doted September 27, 1961 referred above.

Item No: 5 in the present schedule has been newly inserted vide notification dated March 28, 1962 referred above.

*NOTIFICATIONS under*

**RAJASTHAN PUBLIC SERVICE COMMISSION ORDINANCE, 1949.**

*Published in Raj. Raj-patra at page 7:*

Government of The United State of Rajasthan  
Appointments Department.

**NOTIFICATIONS.**

Jaipur, December, 17, 1949.

No. F. 10 (17)-Appts. (c)/49.—In pursuance of sub-section (3) of section 1 of the Rajasthan Public Service Commission Ordinance, 1949 (No. XXIII of 1949), His Highness the Raj Pramukh is pleased to direct that the said Ordinance shall come into force from the date of publication of this notification.

Jaipur, December 17, 1949.

No. F. 10 (30)-Appts. (c)/49.—In pursuance of clause 3 of the United State of Rajasthan Public Service Commission (Conditions of Service) Regulations, His Highness the Raj Pramukh is pleased to order that until further orders, the United State of Rajasthan Public Service Commission shall consist of a Chairman and two Members.

*Published in Raj. Raj-patra Dated January 26. 1950 at page 2.*

Appointments Department.

**NOTIFICATIONS.**

Jaipur, January 26, 1950.

No. F, 18 (10)-Appts. (c)/50.—In pursuance of clause 3 of the Rajasthan Public Service Commission (Conditions of Service) Regulations, His Highness the Raj Pramukh is pleased to order that until further orders the Rajasthan Public Service Commission shall consist of two members.



*Notifications under*

**Rajasthan Public Service Commission Order, 1949.**

*Published in Raj. Raj-patra part IV (c) dated March 23, 1961 at page 795*

Appointments (A) IV Department

**CIRCULAR**

*Jaipur, February 14, 1961*

No. F. 8 (1) Appts. (A)/IV/61.—Regulation 9 of the Rajasthan Public Service Commission (Limitation of Functions) Regulations, 1951, *Inter-alia* provides that it shall not be necessary for the Commission to be consulted when it is proposed to re-appoint a retired officer for a period not exceeding two years to a post, the duties of which are similar to those normally discharged by members of the service from which he retired. In other words, the Commission has got to be consulted when it is proposed to re-employ a retired officer on a post the duties of which are not similar to those normally discharged by the members of the service from which he retired, even though the period of re-employment does not exceed two years. It is difficult to define precisely the duties of each and every post under the control of the State Government and there may be cases where the appointing authorities may, inadvertently encroach upon the sphere of functions of the P.S.C. in this regard. It has, therefore, been decided that copies of Government orders re-employing retired officers under Regulation 9 (c) of the Rajasthan Public Service Commission (Limitation of Functions) Regulations, 1951 should be endorsed to the P.S.C. by the appointing authorities concerned. Where the nature of the duties to be performed by the officer is not clear from the designation of the post, a brief explanation of the nature of his duties should be added in the endorsement to the P.S.C.

**R. D. THAPAR,**

Special Secretary to the Government.

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*Rules and Notifications under*

PUBLIC TRUSTS ACT, 1959.

( RAJ. ACT No. 42 OF 1959 ).

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# THE RAJASTHAN PUBLIC TRUST RULES, 1960

REVENUE 'A' DEPARTMENT

NOTIFICATION

Jaipur, June 7, 1962.

No. F. 3 (f) (II) Rev./A/59—In exercise of the powers conferred by sub-Section (I) read with sub-section (2), of section 76 of the Rajasthan Public Trusts Act, 1959 [ Rajasthan Act 42 of 1959 ], the State Government hereby makes the following rules, the same having been previously published :—

## PART I

### *Preliminary.*

1. *Short title and commencement*:—(1) These rules may be called the Rajasthan Public Trust Rules, 1962.

(2) On and from the date on and from which and to the extent to which any chapter of the Act commences to apply such of these rules as relate to such chapter shall commence to apply.

2. *Definition*:—In these rules, unless the subject or context otherwise requires:—

(a) "Act" means the Rajasthan Public Trusts Act, 1959 (Rajasthan Act No. 42 of 1959):

(b) "budget" means a statement of the estimate of receipts and expenditures of a public trust;

(c) "balance sheet" means the budget balance sheet of a public trust;

(d) "Committee of management" means a Committee appointed under Chapter X of the Act;

(e) "Form" means a form appended to these rules;

(f) "fee" means a fee levied under these rules;

(g) "region" means the local limits of the area in which the Assistant Commissioner has jurisdiction;

(h) "Secretary" means a secretary of the Rajasthan Public Trusts Board or of the Regional Advisory Committee appointed by the Government as such,

(i) "section" means a section of the Act;

(j) "year" means the Financial Year beginning on the first day of April and ending on the 31st March following.

## PART II

### *Rules to give effect to the provisions of section 10.*

3. *Regulation of service conditions*:—The conditions of service of all the officers, Inspectors, other sub-ordinate officers and servants who are appointed under the Act shall be regulated and governed by the Rajasthan Service Rules for the time being in force.

## PART III

Rules to give effect to the provisions of:—

Section—11 (1) and (5)

Section—12 (1) (d)

Section—13 (1) and (5)

Section—14 (2)

Section—15 (1)

4. *Composition of the Advisory Board:*—The Rajasthan Public Trust Board shall consist of 21 members representing each interest as shown below:—

<i>Interests</i>	<i>Members</i>
(1) Hindus	19
(a) Jains 4	
(b) Sikhs 1	
(c) Other Hindus 14	
(2) Christians	1
(3) Zoroastrians	1
	—
	21
	—

5. *Functions of the Board:*—In addition to the functions prescribed in clauses (a), (b) and (c) of sub-section (i) of section 12 the Board shall tender advice to the Commissioner on such matters as are referred to by him for eliciting the views of the Board.

6. *Travelling and other allowances for Chairman and members of the Board:*—(1) A member or the Chairman of the Board who attends a meeting or performs any journey on official duty in connection with the affairs of the Board may draw travelling allowance at the following rates:—

(i) Journey by Bus—12 nP. per mile;

(ii) Journey by Rail—First Class fare, and

(iii) Daily allowance—@7/- per day.

(2) Except the journey undertaken for attending meetings of the Board no journey shall be undertaken by the Chairman or any member without the permission of the State Government or such other-officer as is authorised by the Government in this behalf.

(3) Subject to the provisions of sub-rules (1) and (2) the travelling allowance rules of the State Government shall apply to the members and the Chairman of the Board as they apply to an officer of Class 1.

7. *Composition of Advisory Committee*—A Regional Advisory Committee shall consist of 21 members representing each interest in the region as shown below:—

(1) Hindus	19
(a) Jains 4	
(b) Sikhs 1	
(c) Other Hindus 14	
(2) Christians	1
(3) Zoroastrians	1
	<hr/>
	21
	<hr/>

8. *Travelling and other allowances for the Chairman and members of the Regional Advisory Committees:*—Provision of rule 6 shall apply to the members and the Chairman of a Regional Advisory Committee as they apply to the Chairman and members of the Board except that the Chairman and members of such draw Committee shall draw a daily allowance of Rs 5/-per day.

9. *Additional Functions of Regional Advisory Committee:*—Subject to sub-rule (2) of rule 6 the Chairman and such members of a Regional Advisory Committee as represent the interest to which a public trust pertains may visit any place connected with such trust for purposes of any spot inquiry or inspection.

10. *Manner of conduct of business of the Board—Meetings and procedure:*(i) The Board shall ordinarily hold its meetings at the headquarters of the Commissioner at such intervals as the Chairman directs or upon the written request of at least 2/3rd of the whole number of its members:

Provided that there shall be held at least two meetings in a year at reasonable intervals.

(ii) The date, time and place of each meeting of the Board shall be fixed by the Chairman and shall be communicated by the Secretary of the Board to the members at least three weeks before the date so fixed.

(iii) For every meeting the Secretary shall prepare an agenda under the instructions of the Chairman and circulate it to members before the commencement of the meeting.

(iv) The Chairman may, at his discretion allow any question or discuss any item consistent with the Act and rules thereunder which he deems proper at the meeting without prior notice.

(v) All relevant record and other necessary information connected with the matters under discussion in the agenda shall be supplied before the commencement of the meeting by the Commissioner.

(vi) (a) In the cases which have been referred by the Assistant Commissioner to the Board under sub-section (2) of section 12, the Board shall directly communicate its decision to him.

(b) In other matters, the Board may communicate its views to the State Government which may take action as it deems proper.

(vii) Ordinarily the Chairman shall preside over the meetings of the Board but when he is unable to attend, the members of the Board present, shall elect one from amongst themselves to preside over such meetings of the Board.

(viii) The Chairman shall sign all letters, memoranda and communications on behalf of the Board and dispose of day to day routine work and by a general or special order authorise in writing the Secretary to sign such communications as he deems proper.

(ix) For the purpose of a meeting of the Board one third of the whole number of its members shall constitute the quorum. If there is no quorum the meeting shall be postponed to some other date.

(x) A member shall not take part in discussion and give his vote or express his views if the matter of dispute relates to the Trust in which he is personally concerned in one way or other.

(xi) Every decision of the Board shall be taken by a majority of the members present and in case of equality of votes, the Chairman shall have a second vote.

11. *Manner of conduct of business of the Regional Advisory Committee.—Meetings and procedure.*—(i) The Secretary of the Regional Advisory Committee shall, under the instructions of the Chairman, call its meeting whenever deemed necessary, at the headquarters of the Assistant Commissioner of the region:

Provided that there shall be held at least two meetings in a year at reasonable intervals.

(ii) The Chairman of the Committee shall preside over such meeting. In case the Chairman is absent, the members present may elect one from amongst themselves to preside over the meeting.

(iii) The Committee shall, after due consideration and discussion, communicate its advice to the Assistant Commissioner in writing together with the dissenting note, if any.

(iv) The Secretary shall inform the members and the Chairman for the meeting well in advance and also forward the agenda, date, time and place for such meeting with the approval of the Chairman.

(v) All relevant record and information connected with the matter under reference for advice to the Committee shall be placed by the Assistant Commissioner at the table of the Committee before the commencement of the meeting.

(vi) One-third of the whole number of the members of the Committee shall constitute quorum for a meeting. If there is no quorum the meeting shall be postponed to some other date. All decisions shall be taken by the majority of the members present and in case of equality of votes, the Chairman shall have a second vote:

(vii) The Chairman shall sign all letters memoranda and communications on behalf of the Committee and dispose of day to day routine work if any and may authorise the Secretary in writing to sign and dispose of such papers as he deems proper.

12. *Disqualifications for members of the Board and the Regional Advisory Committees.*—A person shall be disqualified for appointment as or for being a member of the Board or Committee, if he—

- (a) is less than twenty-one years of age, or
- (b) is convicted by a criminal court of any offence involving moral turpitude, or
- (c) is of unsound mind and is so declared by a competent court, or
- (d) is an undischarged insolvent, or
- (e) is found guilty of misconduct, or
- (f) ceases to profess the religion or persuasion which he represents at the Board or Committee.
- (g) is illiterate, or
- (h) is otherwise unfit.

13. *Removal of Chairman and members of the Board or the Committee.*—If it appears to the State Government that the Chairman or a member of the Board or Committee has incurred any of the disqualifications specified in rule 12 or has contravened any provision of the Act or rules, thereunder or refuses to act or is incapable of acting or failed without sufficient excuse to attend three consecutive meetings of the Board or Committee as the case may be, the State Government may after giving such Chairman or member an opportunity of showing cause and after consideration of any cause so shown, remove him from his office and the decision of the State Government shall be final.

14. *Resignation of the Chairman and members of the Board or Committee.*—The Chairman or any other member of the Board or Committee may resign his office by writing under his hand addressed to the State Government:

Provided that such Chairman or members shall continue to hold office until the appointment of his successor is notified in the Official Gazette.

15. *Staff for the Board and the Regional Advisory Committee—For Board*—(1) (a) The Board shall be provided with a Secretary who shall be appointed by the State Government.

(b) The Commissioner shall place such other staff at the disposal of the Board from his Department as is considered necessary by the Board for the efficient performance of its functions under the Act.

(c) The expenditure incurred on such staff, T.A. and D.A. and other recurring and non-recurring expenditures of the Board shall be met out of the Budget of the Commissioner's office under the Head "Board Expenditure."

*For Regional Advisory Committees:—*

(2) The Regional Advisory Committees shall be provided by the State Government with a Secretary and such other subordinate and Class IV servants as the Government may by order fix for Regional Advisory Committees and they will be provided with a separate budget for the purpose.

#### PART IV

*Rules to give effect to the provisions of:—*

Section—17 (3) and (4)

Section—16 (2)

Section—18 (1) and (2)

Section—23 (1) and (2)

Section—24

Section—25 (2)

16. *Maintenance of Registers and Books by Assistant Commissioners.*—In connection with the registration of public trusts, the Assistant Commissioners shall maintain the following registers and books in the forms shown against each:—

- |  |        |
|--|--------|
| 1. Register of Public Trust.   | Form 1 |
| 2. Register of decisions received from the Commissioner.   | Form 2 |
| 3. Register of decision of Courts communicated to the Assistant Commissioner.  | Form 3 |
| 4. Register of Changes.  | Form 4 |
| 5. Book relating to immovable property situate in the region belonging to a public trust registered in another region. | Form 5 |

17. *Application for registration.*—(1) The application for registration of public trust in addition to the particulars specified in clauses (i) to (ix) of sub-section (4) of section 17 shall contain the following particulars, namely:—

- (i) other sources of income,
- (ii) particulars of encumbrances, if any, on Trust Property,
- (iii) particulars of title pertaining to the Trust Property and instrument of Trust (if such instrument has been executed and is in existence) and the names of the Trustees in possession thereof,
- (iv) particulars of scheme, if any, relating to Trust.

(2) The application shall be in Form 6.

18. *Registration Fee.*—The fee to accompany the application shall be in cash and of the following amount:—

- |   |         |
|---|---------|
| (1) When the value of the property of a public trust does not exceed Rs. 1,000/-                | Rs. 1/- |
| (2) When the value of the property of trust exceeds Rs. 1,000/- but does not exceed Rs. 3,000/- | Rs. 2/- |



## The Rajasthan Public Trust Rules, 1960

- (3) When the value of the property of the public trust exceeds Rs. 3,000/- but does not exceed Rs. 5,000/- Rs. 3/-
- (4) When the value of the property of the public trust exceeds Rs. 5,000/- Rs. 5/-

The fee shall be credited to the Consolidated Fund of the State.

19. *Certification of Registration.*—When a public trust is enrolled in the register of public trusts, a certificate in the following form shall be issued to the Trustees in token of registration. Such certificate shall be signed by the Assistant Commissioner incharge of registration and shall bear the office seal.

### FORM OF CERTIFICATE

It is hereby certified that the Public Trust described below has this day been duly registered under the Rajasthan Public Trust Act, 1959 (42 of 1959).

At the office of the Assistant Devasthan Commissioner .....  
Name of the Public Trusts .. .....  
Number in the register of Public Trusts .....  
Certificate issued to ....  
Given under my hand this.....day of.... 196 .

SEAL

Signature.....  
Date .. ..

20. *Manner of enquiry for registration of Public Trust.*—(1) On receipt of and application under section 17 or upon an application made by any person having interest in a Public Trust, or on his own motion, the Assistant Commissioner shall:—

- (a) fix a date for submitting objections by giving a public notice of the enquiry and invite all persons having interest in the Public Trust under enquiry to prefer within 60 days, objections, if any, in respect of such Trust
- (b) on the date fixed for such objections, if objections are preferred from any person having interest in the Public Trust receive them and on that date or on any subsequent dates he may frame issues and take the necessary evidence produced by the applicant and persons who have preferred objections,
- (c) after giving them further opportunity to rebut their evidence, make any further enquiry as he may deem necessary,
- (d) in case no objections are preferred within the prescribed period, hold the enquiry *ex parte*, and
- (e) on completion of the enquiry, record his finding with reasons thereof as to the matters under enquiry.

## The Rajasthan Public Trust Rules. 1960

(2) *Appearance*.—In any inquiry a party may appear in person or by his recognised agent or by a legal practitioner duly appointed to act on his behalf:

Provided that any such appearance shall, if the Assistant Commissioner so directs, be made by the party in person.

(3) *Mode of serving summons*.—(a) Summons for attendance of any person whether a party or witness at an inquiry or other proceedings shall be served through post or a process server.

(b) The summons shall be deemed to have been duly served on the person summoned;

(i) if it is sent by registered post and an acknowledgement or refusal thereof has been received, or

(ii) if it is affixed at a conspicuous place in the house or locality in the presence of two witnesses on the refusal of acceptance by the concerned person, or

(iii) if it is published in a newspaper having circulation in the locality.

(c) No summons for the attendance of any witness shall be issued at the instance of a party to an inquiry or other proceedings under the Act unless the party first deposits with the Commissioner or Assistant Commissioner as the case may be such sum as in his opinion is sufficient to defray the cost of travelling and other allowance payable to such witnesses.

(4) *Return of Documents*.—(a) Any person desirous of receiving back any document produced by him at the inquiry shall unless the documents has been impounded, be entitled to receive back the same if the proceeding is one in which the order made is not liable to be questioned by a suit in a court or if the time for filing the suit has elapsed without the suit having been filed, or when a suit having been filed has been disposed of :

Provided that a document may be returned at any time earlier than that prescribed by this rule if the person applying therefor delivers to the Assistant Commissioner or Commissioner as the case may be, a certified copy to be substituted for the original and undertakes to produce the original, if required.

(b) An application for the return of document shall give the date and description of the document, the number of the proceeding in which and the date on which it was produced and the exhibit mark it bears, and on the return of a document, a receipt shall be given by the person receiving it

(5) *Allowance to witnesses*.—(a) Allowances payable to witnesses summoned for any inquiry or other proceedings under this Act shall vary according to the status and circumstances. The Commissioner and Assistant Commissioner as the case may be, shall use their own discretion in fixing up the amount of payment to such witnesses.

(b) The local witnesses may be paid conveyance allowance only which shall not exceed Re. 1/- and shall not be lower than 50 nP.

(c) Outside witnesses may be paid reasonable amount of actual travelling and diet expenses.

21. *Manner of public notice for proposed inquiry.*—(1) The Assistant Commissioner shall give a public notice of the inquiry proposed to be made under sub-section (1) of section 18 in Form 7 to :—

- (a) the parties to the inquiry,
- (b) the Trustees of the Trust.

(2) A copy of such notice shall be published by affixture on the notice board of the office of the Assistant Commissioner and in the locality on a conspicuous place, where the trust property in question is situate. Such publication be deemed to be sufficient intimation to persons having any interest in the trust property.

(3) Where the trust property is situate in a city or in more than one district, a copy of the notice shall also be published in a newspaper having circulation in the locality or in the Rajasthan Gazette.

22. *Form and manner in which working trustee is to report changes.*—(a) The working trustee shall within the prescribed period report the occurred change or proposed change of entries to the Assistant Commissioner in Form 8.

(b) The Assistant Commissioner shall, after necessary inquiry if any, shall cause the entries to be amended in accordance with the finding recorded in the register Form No. 4.

23. *Further inquiry by Assistant Commissioner.*—If as provided in section 24, it appears to the Assistant Commissioner that a "particular" relating to any public trust which was not the subject-matter of the inquiry under section 18 or sub-section (2) of section 23 has remained to be enquired into, he may conduct further inquiry in the same manner as provided for in the rules for making first inquiry under sub-section (1) of section 18 and record his findings and make or amend entries in the register in accordance with the decision arrived at.

24. *Book of entries under sub section (2) of section 25.*—The book in which the particulars of the entries or amended entries are required to be entered under sub-section (2) of section 25 shall be kept in Form 5.

## PART V

### *Rules to give effect to the provisions of section 31 (2)*

25. *Application for previous sanction for certain transfers of trust properties.*—(1) Every application for sanction under sub-section (2) of section 31 shall contain information on the following points:—

- (i) reason for transfer,
  - (ii) how is the proposed transfer in the interest of the public trust,
  - (iii) in the case of lease, the term of past leases if any,
  - (iv) whether instrument of trust contains any direction as to the transfer of such immovable property.
- (2) Such application shall be in Form 3.

## PART VI

*Rules to give effect to the Provisions of:—*

Section—32;

Section—33 (2) (3) and (5);

Section—35 and 36.

26. *Maintenance of accounts.*—The working trustee or manager of a public trust which has been registered under the Act shall maintain regular accounts in Forms 10 and 11 in which the particulars of all the movable and immovable properties shall be entered.

27. *Manner of annual audit of accounts.*—The trustee shall get the accounts audited annually by an auditor, who shall prepare a report relating to the accounts audited which shall in addition to information required by sub-section (2) of section 34 also contain the following particulars:—

(1) (a) whether accounts are maintained regularly and in accordance with the provisions of the Act and the rules made thereunder;

(b) whether receipts and disbursements are properly and correctly shown in the accounts;

(c) whether the cash balance and vouchers in the custody of the manager or working trustee on the date of the audit were in agreement with the accounts;

(d) whether all books, deeds, accounts, vouchers or other documents or records required by the auditor were produced before him;

(e) whether an inventory certified by the manager or working trustee, of the movables of the public trust has been maintained;

(f) whether the manager or working trustee or any other person required by the auditor to appear before him, did so and furnished the necessary information required by him;

(g) whether any property or funds of the trust were applied for any object or purpose other than the object or purpose of the trust;

(h) the amount of outstanding for more than one year and the amounts written off, if any;

(i) whether tenders were invited for repairs or construction involving expenditure exceeding Rs. 1000/-;

(j) whether quotations were invited for the purchases of articles exceeding Rs. 100/-;

(k) whether any money of the public trust has been invested contrary to the provisions of the Act;

(l) alienations, if any, of the immovable property contrary to the provisions of the Act which have come to the notice of the auditor;

(m) any special matter which the auditor may think fit or necessary to bring to the notice of the Assistant Commissioner.

28. *Time for audit and submission of the audit report.*—(1) The trustee shall get the accounts audited within six months of the date of balancing the accounts

(2) In the office of the Asstt. Commissioner, there shall be maintained a register of the audit reports received under section 34 in Form 12.

29. *Power for audit.*—For the purpose of audit, the Asstt. Commissioner may, whether of his own motion, or at the request of the auditor:—

(1) require any trustee to produce before the auditor of any book, deed, account, vouchers, or other document or record necessary for the proper conduct of audit.

(2) require any trustee or any person having the custody or control of, or accountable for any such book, deed, account, vouchers or other document or record to appear in person before the auditor;

(3) require any trustee or any such person to give the auditor such information as may be necessary for the aforesaid purpose;

(4) require any trustee or any person having the custody or control of, or accountable for, any movable property belonging to the trust to produce such property for the inspection of the auditor and such information as may be necessary regarding the same.

30. *Fee for special audit.*—(1) The fee for special audit under sub-section (5) of section 33 shall be fixed by the Assistant Commissioner according to the circumstances of each case;

Provided that in no case shall such fee exceed two and half per cent of the gross annual income of the public trust or be less than Rs. 25/-.

(2) Before a special audit is directed under sub-section (4) of section 33 the Assistant Commissioner may require the manager or working trustee concerned or the person moving the Assistant Commissioner for such special audit to deposit such amounts as would in the opinion of Assistant Commissioner be sufficient to meet the cost thereof.

(3) If such fee is required to be paid by a manager or working trustee, it shall be paid from the funds of the trust.

31. *Budget.*—The working trustee of every public trust, the gross annual income of which exceeds thirty-six hundred rupees shall prepare and submit before the 31st December, in each year a budget in Form 13 and 14 showing the estimated receipts and expenditures of the trust during the next financial year.

32. *Inspection and copies.*—(1) (a) Any person having interest in a public trust may apply to the Assistant Commissioner specifying such information as may be necessary for identifying the document which is open to inspection under section 36 and shall be allowed to inspect any such document on payment of a fee at the rate of one rupee per hour for each document to be inspected.

(b) such inspection shall be allowed during the office hours only subject to such supervision as the Assistant Commissioner may in each case direct.

(2) (a) The fee for the supply of the certified copies of the document which are open to inspection shall be four annas for every 100 words or fraction thereof.

(b) Stamp paper will be supplied by the applicant.

(c) Ordinarily the copies shall be given within a week.

(d) In urgent cases, the copies may be given within 24 hours on payment of double fees provided the matter may not be lengthy as to cover more time.

## PART VII

*Rules to give effect to the provisions of:—*

Section—47, (1)

Section—49, (2)

33. *Returns and Statements.*—The working trustee of a public trust shall furnish to the Assistant Commissioner the following returns and statements on the dates mentioned against each.

1. Statement of yearly investment.	Yearly	1st April each year.
2. Statement of recovery of loans debts and advances etc.	Six monthly	15th Oct and 15th April each year.
3. Statement of income from rent of properties.	Yearly	These statements shall be submitted by those trusts whose gross annual income exceeds Rs. 600/-.
4. Statement of Bhets to trust.	Six monthly	
5. Statement of income and expenditure of the public trust.	Yearly	
6. Statement of payment of dues and debts.	Yearly	

34. *Manner of holding inquiry under section 49 (2).*—If the Assistant Commissioner finds that there is a *prima facie* case for an inquiry under section 49, he shall—

(a) fix a date for the inquiry and cause a notice to be served on the trustee or any other person concerned to appear on the date fixed;

(b) on the date fixed for such hearing or any subsequent date to which the hearing may be adjourned, allow them an opportunity to represent their case and to adduce evidence and make further inquiry as he may deem necessary; and

(c) on completion of the inquiry, record his findings and the reasons thereof, under sub-section (2) of section 49.

## PART VIII

*Rules to give effect to the provisions of:—*

Section—53 (3) 8 (5)

Section—65

35. *Conditions and restrictions in respect of acquisition and disposal of property by Committee of Management.*—Subject to the directions in the instrument of the trust or any direction given by the court or any provisions of the Act or any other law, the Committee of management shall not—

(a) mortgage any immovable property exceeding Rs. 2,000/- in value, without the permission of the Devasthan Commissioner.

(b) dispose of any immovable property exceeding Rs. 2,000/- in value otherwise than by public auction; or

(c) acquire any immovable property exceeding Rs. 2,000/- in value, without the sanction of the Devasthan Commissioner;

Provided that the Committee of management for such public trust which vests in the Government or which maintained at the expenses of the Government or which is managed directly by the State Government or which is under the superintendence of the Court of Wards shall exercise only such powers with respect to the above matter which the State Government may, by order, delegate.

36. *Manner of ascertaining the wishes of persons interested.*—  
(1) For the purpose of ascertaining the wishes under sub-section (5) of section 53, of the persons interested the State Government shall direct the Assistant Commissioner to issue a public notice in such manner as he may think proper, for inviting suggestions for the constitution of the committee of management.

(2) The Assistant Commissioner shall forward the suggestions so received along with his comments, to the State Government through the Commissioner.

37. *Meeting of and procedure for committee of management.*—  
(i) A Committee of management shall meet at least once in a month to discuss the affairs of the Trust.

(ii) For the purpose of a meeting one-third of the whole number of members shall constitute quorum. If there is no quorum the meeting shall be postponed to the next date.

(iii) The decisions of the committee of management shall be recorded in writing with signature of the Chairman appended thereto and such decisions shall form the record of the committee. The committee shall take all measures to implement their decisions.

(iv) The committee of management may, in writing, delegate all or any of their powers to the Chairman or any other member for conducting and facilitating the day to day work of the trust.

(v) The Chairman shall be authorised to sign all letters and memoranda on behalf of the committee of management and carry out day today business.

(vi) The Chairman of the committee of management shall in advance inform the members about time, date and place for meeting along with the agenda, if any. It shall be incumbent upon the chairman or the members of the committee of management to attend at least 50% of the meeting in a year.

38. *Allowances to hereditary trustees.*—While determining and fixing the amount of allowance payable to any hereditary trustee of a public trust, the State Government shall also take into consideration the liabilities and other expenses of the trust, the net income thereof and the allowances received by such trustee in the past:

Provided that no such allowance shall exceed 15 per cent of the gross income.

## PART IX

### *Rules to give effect to the provisions of section 66.*

39. *Election of member of a committee under section 66 (2).*—For the purpose of constituting a committee, under sub-section (2) of section 66, the persons engaged in trade or business concerned in different towns charging or collecting Dharmada shall be called by the Assistant Commissioner of the region by giving a public notice of atleast fifteen days, and such persons shall in the presence of the Assistant Commissioner elect the members of the committee by show of hands, for a period of five years. The members so elected shall forthwith in the presence of the Assistant Commissioner elect by show of hands one of the members as a Chairman of the committee.

40. *Statement of Dharmada Accounts.*—The person charging or collecting Dharmada shall within 3 months from the close of his yearly accounts submit the account of Dharmada in Form 15.

41. *Inquiry and audit.*—The Assistant Commissioner may for the purpose of verifying the correctness of the account of Dharmada under sub-section (4) of section 66, hold enquiry by calling the books of accounts of person charging or collecting Dharmada and if he thinks necessary, have them audited by any person whom he may appoint in this behalf and direct the expenses of such audit to be paid out of such account.

A register of Dharmada in his region shall be maintained by the Assistant Commissioner in Form 16.



## PART X

*Rules under section 76 (2) (m)*

42. *Prescription of the form of appeals and the fees.*—(1) Every appeal under the provisions of the Act shall be preferred in the form of memorandum signed by the appellant or his pleader. The memorandum shall set forth concisely and under distinct heads the grounds of objections to the finding or order appealed from without any argument or narration, and such grounds shall be numbered consecutively.

(2) Such appeal shall be sent to the appellate authority either by registered post, or presented in person, or by a pleader within the period prescribed for such appeal and shall be accompanied with—

(a) a certified copy of the finding or order appealed from;

(b) as many copies of the memoranda of appeal as are required for service upon parties whose rights or interest will be affected by any order that may be passed in such appeal.

(3) The appellant shall deposit into the office of the appellate authority the cost of serving notice on all respondents at the rate of annas four per respondent.

(2) The appeal shall be stamped with the court fee of Rs. 2/-.

FORM No. 1

(See Rule 16)

## Register of Public Trusts

S. No.	Name of the trust	Name of the Trustees and Manager with their addresses	Mode of succession to Trusteeship and Manager-ship	Objects of the Trust.			
1	2	3	4	5			
Particulars of documents creating the Trust			Particulars other than documents about the origin or creation of Trust.				
6			7				
Movable property			Immovable property				
(Movable property <sup>a</sup> entries regarding cash should be made if it forms part of the capital of the Trust)	Its estimated value	Village where situated	Tenure	Survey number or city Survey or Municipal number	Area	Assessment	Estimated value of each property mentioned in Col. 12
8	9	10	11	12	13	14	15

Average annual income		Average annual expenditure.			
Average gross annual income from property in Cols. 8 & 12	Average gross annual income from other sources	Total of Columns 16 & 17	Remuneration to Trustee or Managers	Establishment and staff.	On religious objects.
16	17	18	19	20	21

## Average annual expenditure contd.

On charitable objects	On Miscellaneous items	Total of Columns 19 to 23.	Particulars of encumbrances on Trust property
22	23	24	25

Particulars of title deeds pertaining to Trust property and names of Trustees in possession thereof	Particulars of the scheme if any, relating to Trust	Remarks.
26	27	28

## FORM No. 2

(See Rule 16)

## Register of Decisions received from the Devasthan Commissioner

Serial No.	Name and registered No. of Public Trust	Name of office	Date of decision	Date of receipt for the decision of the Devasthan Commissioner
1	2	3	4	5

## FORM No. 3

(See Rule 17)

## Register of decision of Courts communicated to the Assistant Commissioner

Serial No.	Name of Public Trust	Name of Court	Date of decision	Date of receipt in Asst. Devasthan Commissioner's office
1	2	3	4	5

Nature of decision in brief	Order for action by Asstt. Commissioner	Compliance report from the concerned clerk	Initials of the clerk	Remarks.
6	7	8	9	10

## FORM No. 4

[See Rule 16 and 22 (b)]

## Register of changes

Serial No.	Registered No. and name of Public Trust	Date of Trustee's report (Enter 'Nil' if changes effected otherwise than on report)
1	2	3

Nature of changes sought in the register of Public Trust	Summary of order and the date thereof and the initials of the Asstt. Commissioner	Remarks.
4	5	6

## FORM No. 5

(See Rule 16 and 24)

Book for entering Particulars of entries or amended entries about immovable property situated in the region belonging to a Public Trust registered in another region

Serial No.	Date	Name of Public Trust	Names of the Trustees and Managers with their addresses	Office of registration
1	2	3	4	5

Full particulars of property situated in the Region as recorded in the Register of despatching office	Name of the office which has intimated with date and despatch number	Remarks
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## FORM No. 6

[See Rule 17 (2)]

## Application Form

To,  
The Assistant Devasthan Commissioner,  
....Region.

In the matter of public trust ...

....

I, ... .. working trustee.... ...  
 of the above-named Public Trust, hereby apply under Section 17 of  
 the Rajasthan Public Trust Act, 1959, for the Registration of the  
 said Trust.

2. I submit the following necessary particulars:—

- (i) Origin (so far as known) nature and objects of the trust and the designation by which the trust is or shall be known.
- (ii) Place principal office or the principal place of business of the public trust is situated.
- (iii) Names and addresses of the working Trustee and the manager.
- (iv) Mode of succession to the office of the Trustee.
- (v) Details of movable property with estimated value of each class of such property.

Note:—(Entries be made by broad description of classes of such property e.g. furniture books etc., rather than of each individual article. Entry regarding cash should be made only if such cash forms part of the capital of trust. In case of scrip give particulars of each Security, Stock, Share and Debenture including the number it bears.)

- (vi) Details of immovable property showing the village, or town where situated alongwith municipal or survey Kharsra No., area, assessment, description of the tenure on which held (attach certified copies of the entries in the record of Rights, City Survey Record or Municipal Record relating to properties (if available)).

- 1.
- 2.
- 3.
- 4.

- (b) Estimated value of each immovable property.

- 1.
- 2.
- 3.
- 4.

- (vii) Other sources of income.

- (viii) Gross average annual income (from movable, immovable properties and other sources).

Note:—It should be based on the actual gross annual income during the three years immediately preceding the date on which application is made or of the period which has elapsed since the creation of the trust, which ever period is shorter and in case of a newly created public trust the estimated gross annual income from all sources.

(ix) Average Annual Expenditure:—(Estimated on the Expenditure incurred within the period to which the particulars under clause (viii) relate and in the case of a newly created public trust, the estimated annual expenditure).

(a) on remuneration to trustee and manager.

(b) on establishment and staff.

(c) on religious objects.

(d) on charitable objects.

(e) on miscellaneous items.

(x) Particulars of encumbrances, if any on trust property.

(x) Particulars of title deeds pertaining to trust property and instrument of trust (if such institution has been executed and is in existence) and the name of the trustee in possession thereof.

(xii) Address of the manager or working trustee where communication be sent.

(xiii) Remarks, if any.

Fees ... .. accompanies

Place ... ..

Date.... ..

*Signature of Working Trustee or  
Managers.*

FORM No. 7

(See Rule 21)

Notice under Section 18 (2) of Rajasthan Public Trust Act, 1959.

Office of the Assistant Devasthan Commissioner.

To,

All concerned.

(Name, description and residence)

Whereas ... ..

... ..  
has filed an application for holding enquiry with respect to .....trust  
... .. of the Rajasthan Public Trust  
Act, 1959.

Therefore, in exercise of the powers conferred by sub-section (2) of section 18 this notice is published for general information to all persons having interest in the said trust under enquiry to prefer within sixty days, from the date of issue of this notice, objections, if any with respect to such trust.

Take further notice that if no objections are preferred within the above specified period the application will be decided in the prescribed manner and findings recorded for the subject matter of enquiry.

Given under my hand and the Seal of the office

this ... .. day of.... .. 196 .

Assistant Devasthan Commissioner.

## FORM No. 8

(See Rule 22)

Report of the changes or proposed changes to be recorded in the register of Public Trusts.

To,

The Assistant Devasthan Commissioner

.....

Registration No. and Name of Public Trust.....

Nature of changes 1	Reason of the changes 2	Remarks, if any 3
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Date.....

Signature and address of the  
working Trustee or Manager.

## FORM No. 9

[See Rule 25 (2) ]

Application for sanction of certain transfer of properties.

To,

The Assistant Devasthan Commissioner

Registered No.....Name of the Trust .....

Particulars of property to be transferred		Kind of transfer	
S.No.	Movable property	Immovable property	

1	Name of property/estimated value Average annual income (rent or interest if any)	2	Name of property Survey No. or City Survey, or Municipal No. area Assessment/estimated value/Average annual income.	3	4

5	Reasons for transfer	6	Name of working Trustee or Managers with their addresses	7	Actual or estimated income by transfer	8	Remarks
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Place.....

Date.....

Signature and address of the  
working Trustee or Manager.

## FORM No. 10

(See Rule 26)

Statement of income for the year ending .....

Name and Registered Number of Public Trust....

## Income from immovable property.

Particulars of property	Arrears of income of the end of the previous year.	Demand of rent fixed for the current year.	Amount realised during the year.	Arrears outstanding with details of the year to which they belong.
1	2	3	4	5

## Income from other property including securities (if any)

Description of property.	Arrears of income at the end of the previous year	Amount to be recovered during the current year.	Amount realised during the year.	Arrears outstanding.
6	7	8	9	10

## Total realisation and outstandings

Total amount recovered during the year.	Total arrears outstanding	Remarks
11	12	13

## FORM No. 11

(See Rule 26)

Statement of expenditure for the year ending .....

Name and Registered number of Public Trust.....

Assessment cesses and other Govt. dues.	Municipal and other taxes.	Charges incurred for maintenance and necessary improvement of property including repairs.	
1	2	3	
Remuneration to Managers and or Trustee.	Pay and allowances of Servants	On religious objects.	On charitable objects
4	5	6	7

Miscellaneous expenses (including contribution)	Total expenditure	Total income.	Balance	Remarks.
8	9	10	11	12

## FORM No. 12

[See Rule 28 (2) ]

## Register of Audit Report

## OFFICE OF THE ASSTT. DEVASTHAN COMMISSIONER

Register No. and Name of Public Trust.

Year under audit.	Date of receipt of audit report.	Name of auditor.	Remarks.
1	2	3	4

## FORM No. 13

(See Rule 31)

Budget estimate of income and expenditure for the year...of the Trust.

Accounts for 1	Budget Estimate for 2	Revised Estimate for 3	Income.
			Head of income 4

1. Contribution from

2. Other income.—

(a) Interest on investment  
and advances ....(b) Fees for supply of  
documents and other  
petty items ....

Deficit at the end of the year

Total ....

## Expenditure.

Budget Estimate for 5	Budget estimate for 6	Head of expenditure. 7
--------------------------	--------------------------	---------------------------

1. Deficit from previous year ....

2. (i) Pay and allowances to the  
Trustees or others ....

(ii) Pay of Establishment ....

(iii) Travelling and Other Allo-  
wances ....



(iv) Contingencies	....	....
(v) Audit charges	....	....
(vi) Interest on loans	....	....
(vii) Repairs	....	....
(viii) Other expenses	....	....
Total	....	....

## Year

Revised estimate for 8	Budget estimate for 9	Account for 10
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## FORM No. 14

(See Rule 31)

## Budget estimate of receipt &amp; payment for

Accounts for 1	Budget Estimate for 2	Revised Estimate for 3	Receipts. 4	Budget Estimate for 5
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Cash balance from pre-  
vious year ....

(i) Income ....

(ii) Loans ....

Total ....

Revised Estimate 6	Head of payments 7	Revised Estimate 8	Budget Estimate 9	Accounts for. 10
--------------------------	-----------------------	--------------------------	-------------------------	------------------------

(i) Expenditure ....

\*(ii) Payments of loans ....

Cash balance at the  
end of year ....

Total ....

\* From surplus of income over expenditure or from balance of loans etc. when there is no surplus.

Includes advances of pay, travelling allowances and lawyer's fees.

## FORM No. 15

(See Rule 40)

## Statement of Accounts of sums Charged or Collected as Dharmada

Name by which dharmade collec- tion known	Name and address of persons in whom collection vests as Trustee,	Period approxi- mately for which Dharmade known to be in existence	Objects for which collection made
1	2	3	4
Particulars as to the basis and rate of Collection	Year according to which account kept	Year for which accounts submitted	Opening balance
5	6	7	8
Collection during the year	Total columns 8&9	Particulars of disburse- ment during the year	
9	10	11	
Total disbursement	Balance carried forward	Remarks.	
12	13	14	

*Signature of the person charging or  
collecting Dharmada*

## FORM No 16

(See Rule 41)

## Register of Dharmade

## OFFICE OF THE ASSISTANT DEVASTHAN COMMISSIONER

S. No.	Name by which Dharmade collection known	Period approximately for which Dharmade known to be existence	Name and address of person in which collec- tion vests as Trustee.
1	2	3	4
Particulars as to the manner and rate of collection	Objection for which collection made	Year according to which account kept	
5	6	7	
Collection during the year for which first Statement of account submitted	Remarks.		
8	9		

By Order of the Governor  
G. L. MEHTA  
Secretary to the Government

*Notifications under*

**Rajasthan Public Trust Act, 1959**

*Published in Raj. Raj-patra part IV (c) dated June 28, 1962 at pages 218-212*

Revenue 'A' Department

**NOTIFICATION**

*Jaipur, June 28, 1962,*

No. F. 3 F. (11) Rev./A/59.—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Public Trust Act, 1959 (Rajasthan Act 49 of 1959), the State Government hereby directs that the provisions of Chapter X of the said Act shall come into force on the 1st day of July, 1962, a draft notification to this effect having already been published, as required by sub-section (5) of section 1 of the said Act, in the Rajasthan Gazette Extraordinary, Part III-B, dated May 21, 1962.

G. L. MEHTA,

Secretary to the Government

Revenue 'A' Department

**NOTIFICATION**

*Jaipur, June 28, 1962.*

No. F. 3 F. (11) Rev./A/59.—In exercise of the powers conferred by sub-section (4) of section 1 of the Rajasthan Public Trust Act, 1959 (Rajasthan Act 49 of 1959), the State Government hereby directs that the provisions of Chapters V, VI, VII, VIII and IX of the said Act shall come into force on the 1st day of July, 1962, and shall apply therefrom to all public trusts throughout the State of Rajasthan whose gross annual income from all sources whatsoever is not less than Rs. 3,000/- or the total valuation of the assets whereof is not less than Rs. 30,000/-, a draft notification to this effect having already been published, as required by sub-section (5) of section 1 of the said Act, in the Rajasthan Gazette Extraordinary, Part III-B, dated May 21, 1962.

G. L. MEHTA,

Secretary to the Government.

*Published in Raj. Raj-patra part IV (c) dated July 26, 1962 at page 390.*

Revenue (A) Department

**NOTIFICATION**

*Jaipur, July 19, 1962.*

No. F. 3 H (21) Rev./A/60.—In exercise of the powers conferred by section 8 of the Rajasthan Public Trusts Act, 1959 (Raja-

sthan Act 49 of 1959), the State Government hereby appoints the following three Assistant Devasthan Commissioners with jurisdiction within the local limits of the area indicated against each namely:—

S. No.	Designation.	Head Quarters.	Local limit Jurisdiction.
1.	Assistant Commissioner Devasthan, Jaipur.	Jaipur	Ajmer Division.
2.	Assistant Commissioner Devasthan, Jodhpur.	Jodhpur	Jodhpur and Bikaner Division.
3.	Assistant Commissioner Devasthan, Udaipur.	Udaipur	Udaipur and Kota Division.

By Order of the Governor,  
G. L. MEHTA  
Devasthan Secretary.